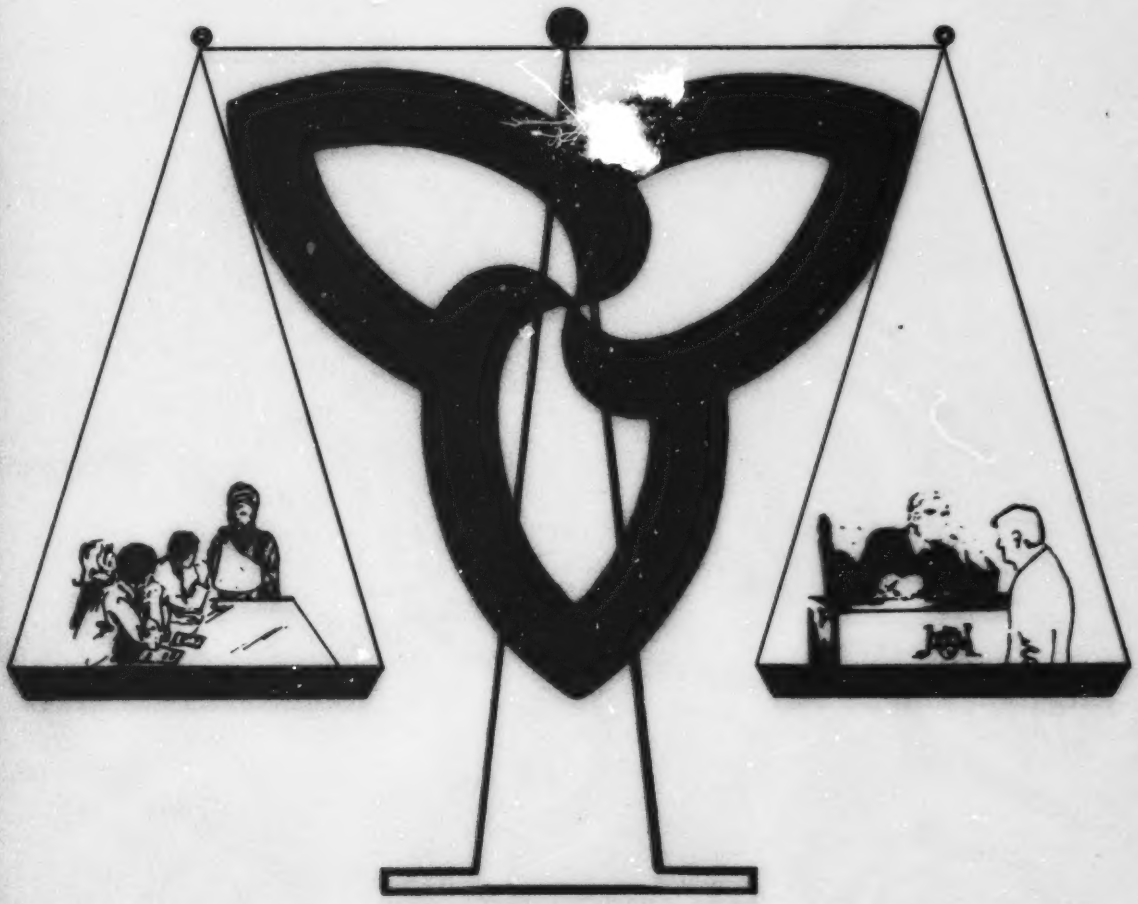
Ontario

THE FIFTEENTH REPORT of the ONTARIO CRIMINAL INJURIES COMPENSATION BOARD



for the fiscal year APRIL 1, 1983 to MARCH 31, 1984

85-3475/

THE FIFTEENTH REPORT

of the

ONTARIO CRIMINAL INJURIES COMPENSATION BOARD

administering

THE COMPENSATION FOR VICTIMS OF CRIME ACT, 1971

for

the fiscal year

April 1, 1983 to March 31, 1984

THE BOARD

ALLAN GROSSMAN
Chairman

ANNE STANFIELD
AUDREY MERRETT
Vice-chairman

Gloria J. Burt
Greville Clarke
Linda Clippingdale
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Robert W. Mitchell, Q.C.
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Nathan L. Sandler
Harvey Spiegel, Q.C.
Anne Tomljenovic
Uno Viagaridi

Members

. . . . . .

V.P. GIUFFRE — Registrar
J.H. SHEARD — Chief of Investigation

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Copies of this report may be obtained from:

Criminal Injuries Compensation Board
17th Floor, 439 University Avenue
Toronto, Ontario, M5G 1Y8
Telephone: 965-4755

Criminal Injuries Compensation Board

416/965-4755

439 University Avenue
13th Floor
Toronto, Ontario
M5G 1Y8

September 1, 1984

The Honourable R. Roy McMurtry, Q.C., M.P.P.,
Attorney General for Ontario,
Parliament Buildings,
Queen's Park,
Toronto
Ontario.

Honourable Sir:

I have the honour to submit the fifteenth report of the Criminal Injuries Compensation Board which covers the period April 1, 1983 to March 31, 1984.

Yours respectfully

Allan Grossman,
Chairman.

PROGRAMME DESCRIPTION

The Legislation

The legislation under which the Board functions is The Compensation for Victims of Crime Act, which came into force on September 1, 1971 superseding The Law Enforcement Compensation Act, 1967.

The Board is required by the Act to find the commission of a crime of violence (in the principal class of applications coming before it). A basic qualification for the consideration of an award is that there must be adequate and reliable evidence in this regard. In addition, the Board is required to consider all relevant circumstances including the behavior of the victim at the time of the incident and the co-operation given by the victim to the law enforcement agencies.

Section 6 of the statute prescribes a one-year limitation period for filing an application for compensation, but the Board may extend the time as it considers warranted. During the year 126 requests for extension of the limitation period were received, of which 101 were approved.

Compensation

The Compensation for Victims of Crime Act presently provides that compensation for victims of crimes of violence may be paid up to the following maximums:

In the case of lump sum payments, up to $15,000.00 and in the case of periodic payments, up to $500.00 per month, and where both lump sum and periodic payments are awarded, the lump sum shall not exceed half of the maximum, which is, $7,500.00

These maximums were enacted in 1971. Having regard for the inflationary factor in the last 13 years, very serious consideration will be given to a substantial increase in its maximums and the Board respectfully recommends that this matter should be addressed by the Government as soon as possible.

Subrogation

The Board is subrogated to all the rights of any person to whom the payment is made under this Act, to recover damages from the offender by civil proceedings in respect to injury or death. $38,679.01 was recovered during the fiscal year, compared to $26,834.13 in the previous year.

Hearings

The members of the Board, of whom the thirteen are on a part-time basis, usually sit in panels of two.

During the fiscal year, hearings, in addition to those held in Toronto, took place in Thunder Bay, Sudbury, Sault Ste. Marie, Windsor, London and Ottawa. This is done to facilitate applicants, and to generate a better understanding of the work of the Board across the province. In addition, this practice results in reduced costs to the Board.

Documentary Evidence Hearings

Some applications which are relatively minor and simple of adjudication are, with the consent of the applicants, dealt with on documentary evidence alone. A total of 74 were heard in this manner.

This minimizes the need to inconvenience the applicant and/or solicitor and witnesses in so far as travelling to the location of hearings, the attendant loss of work time and expenses involved. This also reduces the administrative costs, vis-a-vis, staff and Board members' travel time, accommodation, witness and counsel fees, etc.

Child Abuse

During this fiscal year the Board received 19 applications in respect of child abuse, heard 9 cases and awarded $43,331.16.

Administration & Productivity

The administrative staff of the Board is composed of the Registrar, Deputy Registrar & Chief of Investigations, three investigators and a secretarial, stenographic and clerical staff of eight.

In this fiscal year, the Board heard 925 applications and 970 awards were ordered. The larger number of awards ordered over the applications heard is accounted for by the number of awards made on applications heard in the previous fiscal year.

The total value of awards increased from $2,883,696.21 in 1982/83 to $3,249,715.56 in 1983/84, while the average award rose from $2,451.64 to $2,760.61. The periodic payments of $571,924.18 are not included in the average award.

The number of applications received increased form 1328 in 1982/83 to 1488 in this fiscal year.

The administrative staff totalled ten in 1973/74 and has only increased by three in the past ten years even though the number of yearly applications received increased from 510 to 1488. This small staff has been most dedicated in its efforts to maintain a high standard of service to the Board and to the public.

Public Awareness

Large posters and explanatory pamphlets in five languages are supplied to hospital emergency wards and staff lounges, Court houses and other public buildings, supermarkets, etc.

Police forces throughout the province have been supplied with hundreds of thousands of wallet-sized cards (shown below) to be given to victims of crimes of violence advising them how to apply to the Board.

The daily hearing agenda and a selection of typical Board Orders are provided to the news media.

ONTARIO CRIMINAL INJURIES COMPENSATION BOARD

Injured innocent victims of violent crimes may be eligible for compensation from the above Board. Reporting to, and co-operating with, the Police, is an important consideration. If you feel you may qualify, contact the Board immediately at (416) 965-4755, or write to 439 University Avenue, 17th Floor, Toronto, Ontario M5G 1Y8

(1/11/83)

COMMISSION D'INDEMNISATION DES VICTIMES D'ACTES CRIMINELS DE L'ONTARIO

La Commission susmentionnée peut accorder une indemnisation aux victimes innocentes d'actes criminels violents qui ont été blessées. Il est primordial de contacter la police et de collaborer avec elle. Si vous pensez avoir droit à une indemnisation, veuillez contacter immédiatement la Commission, en téléphonant au (416) 965-4755, ou en écrivant à l'adresse suivante: 439 avenue University, 17r étage, Toronto, Ontario M5G 1Y8

(1/11/83)

Cost Sharing

Awards made under The Compensation for Victims of Crime Act are cost shared between the Federal Government and the Government of Ontario. The contribution by the Federal Government amounts to the lesser of 50% of the awards (net of any recoveries), or ten cents per capita of the population of the Province. Because of this formula, the Federal contribution has decreased from 50% in 1977/78 to 27% in 1982/83. This share amounted to $871,560.00. The Federal Government does not share administrative costs.

APPLICATIONS BY AREA

Acton	5	Barrie	7
Ajax	3	Bath	4
Alexandria	1	Beachville	1
Allenford	1	Belleville	2
Alliston	1	Bolton	1
Amherstburg	4	Bolle River	2
Amherstview	3	Bolleville	6
Ancaster	2	Bothwell	2
Armstrong	2	Bowmanville	4
Athol Twp.	2	Bracebridge	6
Atikokan	3	Bradford	1
Aurora	3	Brampton	10
Aylmer	2	Brant County	1
Batawa Lake	1	Brantford	21

Applications by Area Cont'd

Brockville	4
Bruce Mines	1
Burk's Falls	1
Burlington	12
Burritt's Rapids	1
Caledonia	1
Cambridge	13
Campbell	1
Capriol	1
Cardinal	1
Cedar Point	1
Chapleau	1
Chatham	6
Chelmsford	2
Chippawa	1
Claremont	1
Clarkson	1
Cobourg	3
Colchester	2
Concord	1
Cornwall	2
Coronna	1
Cryster	1
Crystal Beach	1
Delaware Twp.	1
Denfield	1
Deseronto	1
Dundas	3
East Gwillimbury	1
Elizabethville	2
Elliot Lake	1
Espanola	1
Essex	3
Foley Twp.	1
Fort Erie	1
Fort Frances	3
Gananoque	3
Georgetown	2
Glenco	2
Gloucester	5
Gore Bay	1
Gravenhurst	2
Grey County	1
Grimsby	2
Guelph	12
Hagersville	3
Haileybury	1
Haliburton	1
Hamilton	86
Harrow	2
Hawkesbury	1
Hearst	2
Hwy 400 & 89	1
Ingersoll	1
Iron Bridge	1
Iroquois Falls	1
Kenna	1
Killaloe	1
Kincardine	2
King City	1
Kingston	24
Kirkland Lake	1
Kitchener	20
Lake Erie	1
Leamington	2
Lindsay	1
Little Falls	2
London	52
Madoc	1
Marathon	1
Markdale	1
Markham	4
Massey	1
Mattawa	3
McGregor	3
Midland	1
Miguel Falls	1
Milthaven	3
Minden	2
Mississauga	23
Mount Forest	1
Morrisburg	1
Morris Twp.	1
Muskoka District	1
Napanee	3
Nepean	5
Newmarket	4
Newton	1
Niagara	3
Niagara Falls	20
Nobleton	1
North Bay	8
Norwood	1
Oakville	10
Orillia	7
Orleans	1
Oshawa	9
Ottawa	65
Otter Lake	1
Owen Sound	2
Paris	3
Pembroke	2
Petawawa	1
Peterborough	7
Petrolia	1
Pickering	3
Plympton Twp.	1
Port Colborne	2
Port Hope	1
Port Severn	1

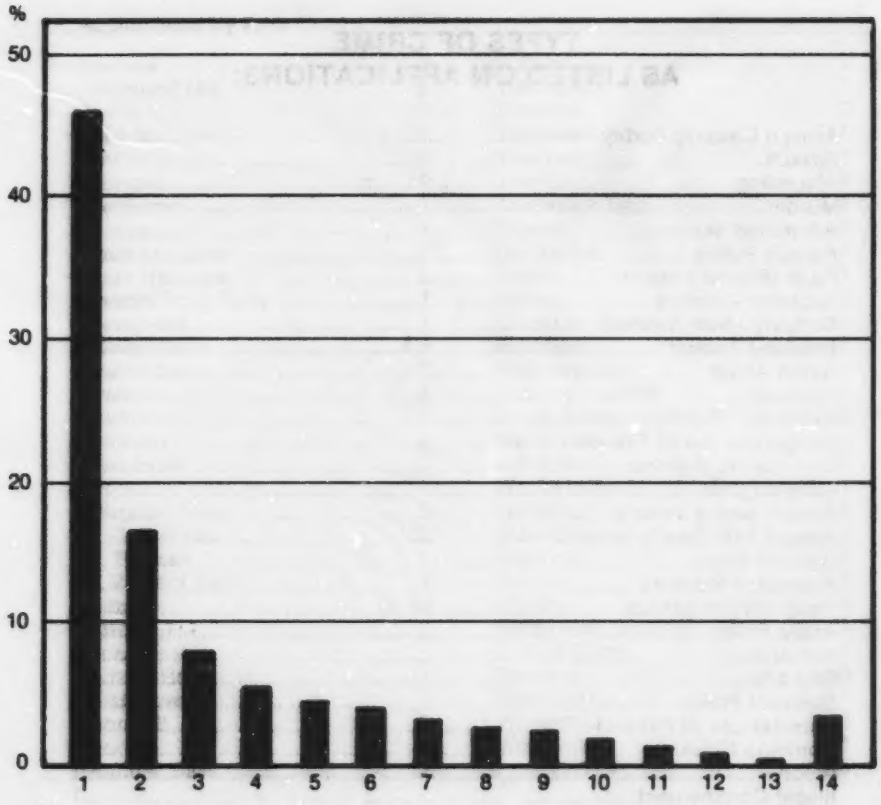
Applications by Area Cont'd

Renfrew	2
Richmond Hill	6
Sarnia	13
Sault Ste. Marie	21
Scarborough	2
Sebright	2
Shelburne	1
Simcoe	1
Sioux Lookout	1
Sioux Narrows	1
Smooth Rock Falls	1
Springfield	1
Stoney Creek	3
Straffordville	2
Stratford	1
Strathford	1
Strathroy	2
Streetsville	3
Stroud	1
Sturgeon Falls	3
St. Catharines	30
St. Thomas	4
St. Vincent Twp.	1
Sudbury	19
Sutton	3
Techumseh	1
Terrace Bay	1
Thistletown	1
Thornhill	5
Thorold	4
Thunder Bay	32
Tilbury	1
Tilsonburg	2
Timmins	2
Toronto	577
Toy Twp.	2
Trenton	4
Tuscarora Twp.	1
Tweed	2
Unionville	1
Utopia	1
Vanier	2
Vermilion Bay	3
Wainfleet	2
Wallaceburg	1
Twp. of Walpole	1
Wasaga Beach	3
Waterford	1
Waterloo	10
Waubaushene	1
Welland	6
West Bay	1
West Hill	2
Weston	2
Whitby	5
White Fish Reserve	1
Wilmot Creek	2
Windsor	50
Woodbridge	1
Woodstock	3
Woodville	1
TOTAL	**1,448**

TYPES OF CRIME AS LISTED ON APPLICATIONS:

Assault Causing Bodily Harm	681
Assault	245
Wounding	119
Murder	82
Attempted Murder	68
Assault Police	60
Rape (Sexual Assault)	46
Robbery/Violence	39
Robbery (With Assault)	35
Indecent Assault	27
Resist Arrest	18
Mischief	10
Explosion (Bomb)	8
Dangerous use of Firearm	4
Criminal Negligence	4
Manslaughter	4
Assault with a Vehicle	4
Assault with Deadly Weapon	4
Citizens Arrest	4
Attempted Robbery	4
Weapons Dangerous	3
Assist Police	2
Kidnapping	2
Dog bite	2
Obstruct Police	2
Careless use of Firearm	2
Common Nuisance	2
Arson	1
Illegal Confinement	1
Criminal Negligence Causing Death	1
Criminal Negligence Causing Bodily Harm	1
Attempted Rape	1
Pointing a Firearm	1
Sexual Relations with a Minor	1
Poisoning	1
Making an Arrest	1
Apprehending Shoplifter	1
TOTAL	**1,488**

NOTE: "Child Abuse". The above statistics listed under the category under the terminology of the Criminal Code include 19 cases commonly referred to as "Child Abuse".



1)	Assault causing bodily harm	45.8%	8)	Robbery with violence	2.6%
2)	Assault	16.5%	9)	Robbery with assault	2.4%
3)	Wounding	8.0%	10)	Indecent assault	1.9%
4)	Murder	5.5%	11)	Resist arrest	1.2%
5)	Attempted murder	4.4%	12)	Mischief	.7%
6)	Assault police	4.0%	13)	Explosion	.4%
7)	Rape (Sexual assault)	3.1%	14)	Other	3.5%

NOTE: "Child Abuse". The above statistics listed under the category under the terminology of the Criminal Code include 19 cases commonly referred to as "Child Abuse".

COMPARATIVE SUMMARY
of
APPLICATIONS AND DISPOSITION

BY FISCAL YEARS
APRIL 1, 1980 to MARCH 31, 1984

COMPARATIVE SUMMARY - FISCAL YEARS
APPLICATIONS AND DISPOSITION

	April 1, 1980 to March 31, 1981	April 1, 1981 to March 31, 1982	April 1, 1982 to March 31, 1983	April 1, 1983 to March 31, 1984
Eligible applications received	1274	1250	1329	1488
Applications heard (1)	985	980	928	925
Applications heard on documentary evidence	118	107	96	74
Applications heard but denied	125	128	93	59
Applications heard - further evidence required	1	2	0	0
Second hearings	1	0	4	0
Review of awards	7	6	3	6
Decisions completed and awards ordered (2)	918	979	950	970
Files closed	253	476	174	431
Interim awards	4	6	11	3
Supplementary awards	52	71	84	83
Periodic awards	17	16	17	18
Lump sum payments	$1,957,309.86	$2,254,654.16	$2,328,957.11	$2,677,791.38
Periodic payments	477,034.06	525,842.58	554,741.10	571,924.18
Total of awards ordered	2,434,343.92	2,780,496.74	2,883,698.21	3,249,715.56
Average award (3)	2,132.14	2,303.02	2,451.54	2,760.61

NOTE:

(1) Includes Heard on Documentary Evidence, Heard but Award Denied and Heard but Further Evidence Required, but does not include files closed.

(2) Includes Interim, Supplementary and Periodic Awards

(3) Periodic Payments not included when arriving at Average Award.

CONSOLIDATED SUMMARY OF AWARDS
APRIL 1, 1983 TO MARCH 31, 1984

MONTH	NUMBER OF AWARDS	MEDICAL EXPENSES	LOSS OF EARNINGS	PECUNIARY LOSS TO RELATIVES OF DECEASED VICTIMS	PAIN AND SUFFERING	FUNERAL & BURIAL EXPENSES	OTHER PECUNIARY LOSS	LEGAL FEES	OTHER DAMAGES RECOVERABLE AT COMMON LAW	TOTAL AWARDS
April	43	9,210.45	28,843.80		104,076.50		8,086.96	6,075.00		156,343.59
May	70	12,582.17	17,971.76		147,106.80	6,692.41	8,754.03	9,887.00		203,003.20
June	68	9,891.14	25,642.99		127,980.00	475.50	8,372.45	8,225.00		180,157.08
July	106	12,864.28	42,918.73		204,600.00	7,088.24	13,267.61	14,250.00	1,200.00	296,188.86
August	74	6,105.07	24,795.99	13,500.00	151,890.81	2,128.60	7,991.26	9,075.00		217,196.73
September	66	13,134.96	43,756.07	1,400.00	126,800.00	1,800.00	8,075.49	6,825.00		203,171.54
October	71	9,002.54	19,252.67		131,080.00	1,800.00	8,726.50	7,925.00		177,886.71
November	83	10,071.03	20,330.80	35,242.75	136,520.00	6,856.00	10,317.09	10,450.00	1,000.00	232,486.46
December	121	14,397.98	30,753.39		191,200.00	5,400.00	16,533.61	14,300.00	500.00	273,884.98
January	61	11,880.33	11,811.02		97,450.00		9,706.98	8,025.00		138,873.33
February	95	15,478.79	24,929.80		204,915.00	3,800.00	10,916.04	9,184.50	1,000.00	270,084.23
March	114	15,886.58	54,065.97	666.00	217,300.00	6,162.50	21,755.68	13,375.00	500.00	329,464.73
	970	145,216.54	365,582.72	55,631.75	1,849,668.11	44,682.25	132,432.71	117,896.50	4,200.00	3,877,791.53
		5.32%	12.80%	1.90%	68.70%	1.67%	4.95%	4.40%	.15%	100.00%

NOTE:

In addition to the above total of awards ordered, the cumulative total of Periodic Payments made amounted to $571,924.18. This included continuing periodic payments ordered in previous years.

SUMMARY OF DECISIONS

April 1, 1983 to March 31, 1984

SUMMARY OF DECISIONS

APRIL 1, 1983 TO MARCH 31, 1984

The volume of cases dealt with by the Board is such that to prevent this report from becoming unduly long, every fourth Board Order has been summarized.

200-5348 A 15 year old boy became the innocent victim of an unprovoked assault in a lane way. He was seriously shot in the neck, armpit, finger and palm of both hands and was hospitalized for 8 days. He underwent surgery and two of the three bullets were removed. One bullet is still lodged in the right shoulder. Some body scars still remain. The offender committed suicide when apprehended.
Award: Pain and suffering $3,500.00, expenses and disbursements $500.00.

200-5565 A 27 year old male truck driver, without provocation, was kicked down a flight of stairs by a fellow worker at a social gathering. The applicant sustained a very severe closed head injury resulting in a coma, and fracture of the left occipital bone with two hematomas. Surgery was required three times to perform two craniotomys and trechectomy. Therapy has proven successful as the applicant can now walk with help of a cane, speak more easily, and experiences fewer seizures. The applicant suffers emotional trauma and cannot get excited or overtired due to the possibility of seizures. Physically the applicant still limps on his right leg and his right arm tires easily. The applicant is unable to perform his previous job, and as a direct result remains unemployed. The offender was convicted of ABH with a bench warrant still outstanding.
Award: Maximum award for pain and suffering $7,500.00, loss of income $19,500.00 retroactive to date of injury, continuing monthly payments of $500.00.

200-5521 A 21 year old laid-off male millhand was struck in the left eye and face by a beer bottle, while an innocent bystander to an altercation at a tavern. The applicant suffered a severe laceration to the left eye resulting in the surgical removal of the left globe and thereby the subsequent refitting with an artificial eye, but he was released from his employment because it would further endanger his safety. The applicant, however, found other employment. The offender was charged with wounding but was found not guilty and was acquitted.
Award: Pain and suffering $7,500.00, loss of income $7,500.00, retroactive to date of injury.

200-5501 A 54 year old male hotel manager was assaulted by a minor when the applicant asked the minor to refrain from drinking beer in the licensed hotel bar. The applicant received a fractured left ankle and a deep facial laceration. Previous respiratory problems became complicated and thrombophebitis developed on the right side. The applicant eventually recovered. The 15 year old offender was charged with assault and found delinquent thus being ordered to perform 30 hours of community work.
Award: Pain and suffering $3,500.00, loss of income $3,000.00, expenses and disbursements $690.25.

200-6805 A 45 year old unemployed male laborer, and his son, a 16 year old student were the victims of an unprovoked assault by three carloads of men. The offenders stopped their vehicles by the applicant and his son, jumped out and attacked them with iron pipes and wooden boards, then fled. Police were notified and both men were taken to hospital. The applicant sustained head lacerations, multiple body bruises, a comminuted fracture of the frontal bone on the skull and a comminuted fracture of the lesser wing of the sphenoid on the right. He also sustained a fracture of the nose and the 8th rib. Surgery was performed and he was hospitalized for 4 days and then released as an out patient.
Award: Pain and suffering $3,000.00, expenses and disbursements $350.95.

200-6868 A 16 year old male student and his father a 45 year old unemployed male laborer were the victims of a brutal unprovoked assault by three carloads of men, while waiting outside an apartment complex. The police were notified and the victims taken to hospital where the victim was diagnosed with a laceration to both his forehead and back of his head and contused ribs. He was released after one evening in hospital.
Award: Pain and suffering $750.00, expenses and disbursements $275.50.

200-7187 A 16 year old male laborer was assaulted with a knife by the offender, his neighbour, while walking home. The neighbour pulled up in a truck behind the youth, reached out and slashed his face and neck. Police were notified and he was taken to hospital for deep knife wounds to the right cheek, severing the facial artery, and across the midline of the neck, requiring surgery. Plastic surgery was performed, but two prominent scars remain. The victim was absent from work for 3 weeks. The offender was found guilty of wounding and sentenced to 1 year in jail. Recommendation was made to investigate the possibility of recovery from the offender under Section 26 (2) of the Act.
Award: Pain and suffering $3,000.00, loss of income $509.45, expenses $17.59.

200-7361 A 43 year old barber became the victim of an unprovoked assault by 4 offenders who attacked and robbed him in a hotel lobby. The applicant suffered blurred vision to his right eye, facial bruising and swelling and a fracture of the nasal bones. He make a good recovery, however, he still suffers from floaters in his right eye. The applicant was unable to work for one month. The offenders were all found guilty of various charges and sentenced to varied jail terms.
Award: Pain and suffering $2,500.00, loss of income $200.00, expenses and disbursements $536.71.

200-7864 This application was brought forward by the mother of the applicant who was a 15 year old. When she was working as a part-time waitress, and became the innocent victim of a shooting in the restaurant where she worked. The shooting arose as a result of an offender trying to settle an argument between himself and another party. Several fragmented pellets struck the applicant in her head, face and right eye. Although surgery was carried out, the applicant sustained a loss of vision in her right eye which is permanent. This loss resulted in severe emotional trauma and depression. The offender was charged with four counts of wounding and received 6 years concurrent, two years concurrent and one year concurrent.
Award: Pain and suffering $7,000.00, expenses and disbursements $630.00.

200-7729 A 48 year old male window installer was assaulted by the offender while driving home. The offender attempted to drive the applicant off the road on several occasions and when both automobiles stopped for a traffic light, the offender stepped out of his car and smashed the applicant's car windows with a hammer. He was then struck in the face and his wallet was demanded. The offender took the money and fled. Police were notified and he was taken to hospital suffering from a swollen face and bruises around his eyes which subsided in about two weeks. He also sustained a traumatic injury to three teeth for which he required dental treatment. Section 25* of the Act was noted, with regards to further dental care. The offender, who was believed to have been under the influence of drugs was found guilty of robbery and weapons dangerous, sentence is pending.
Award: Pain and suffering $2,000.00, pecuniary loss $750.00, expenses $120.00.

200-7822 This application was brought forward by the aunt of an eight year old male, who suffered psychological trauma as the result of witnessing the murder-suicide of his father and mother. The applicant was advised of Section 25* of the Act with respect to future variation of the award. The award for pain and suffering is to be held in trust by the Accountant of the Supreme Court of Ontario until the victim reaches 18 years old.
Award: Pain and suffering $2,500.00 (in trust), expenses and disbursements $421.00.

200-7837 A 54 year old seaman was assaulted by four offenders, with wooden clubs, when he surprised them ransacking his room. He sustained lacerations to his left eyebrow and scalp as well as a probable concussion. Because of the head injury he was kept in hospital for 5 days. His ear continues to bother him. Section 25* of the Act was noted in the event that the ear causes more problems related to the incident. The two offenders were convicted of assault with intent to commit an indictable offence and sentenced to 18 months in jail. Charges against the other 2 men were withdrawn.
Award: Pain and suffering $1,500.00, pecuniary loss $500.00, expenses and disbursements $723.00.

200-7886 A 23 year old male taxi driver was assaulted by a passenger when he demanded the correct fare. The offender hit him over the back of the neck with a beer bottle and also punched and kicked his head and body. At the hospital he was observed to have swelling and bruising of the face, a grossly swollen nose, a laceration to the back of the neck which required four stitches and dental damages, with the possibility of a root canal. The Board noted Section 25* of the Act should any further dental work be necessary. The offender was convicted of ABH and sentenced to 6 months in jail.
Award: Pain and suffering $1,000.00, pecuniary loss $400.00, expenses $15.25.

200-8081 A 40 year old male police officer was injured while attempting to arrest an intoxicated bicyclist. While placing the offender in the cruiser, he sustained an injury to his back. In hospital he required surgery for herniation of the left side of his back and physiotherapy for 4 months. He was unable to work for 8 months and is still suffering from continuing occasional back problems. The loss of income was covered by the Workers' Compensation Board. The offender was convicted of being intoxicated in a public place and

For Section 25 of The Act - See Page 64.

although no assault charges were laid, the Board finds the applicant compensable under Section 5(b) of the Act.
Award: Pain and suffering $3,000.00, expenses and disbursements $423.80.

[redacted] A 45 year old male furnace operator was assaulted by the offender for requesting the use of an elevator. The offender was holding an elevator for a friend, when the applicant entered and requested the use of the elevator. A pushing match resulted and the offender punched the applicant continually about the face. In hospital a closed reduction of his fractured nose was performed and a cast applied. All injuries healed normally. The offender was charged with ABH and fined $200.00. Because the applicant was the first to push, the Board applied Section 17(1) of the Act to reduce the Award.
Award: Pain and suffering $500.00, expenses $20.00.

[redacted] A 33 year old unemployed male was assaulted when he came to the aid of a purse snatch victim. He was able to catch the purse snatcher and in the ensuing scuffle, was kicked in the hand. He was taken to hospital and shown to have sustained a fracture to the 5th finger of the right hand which was splinted for 8 weeks and required 2 weeks of physiotherapy. No charges were laid in relation to this incident.
Award: Pain and suffering $1,500.00, expenses $52.60.

[redacted] A 37 year old male factory worker was the victim of an unprovoked assault. While he was waiting for a bus to return home, the offender, also waiting for a bus, called the applicant over. The offender began to call the applicant names and punched him in the nose. Police were informed and he was taken to hospital. He underwent a closed reduction to repair a displaced fraction of the nasal bone. Some breathing discomfort still remains. He was unable to work for 5 weeks, and the loss of income was covered by a private insurer. The offender pleaded guilty to ABH and fined $300.00 or 30 days.
Award: Pain and suffering $800.00 expenses $9.10.

[redacted] A 23 year old male doorman/bouncer was severly injured when he became entangled in an "all-out bar brawl". In the melee he was hit by a bottle which allegedly bounced off his head, shattered, lacerating his wrist. He was taken to hospital and suffered complete transactions to 9 flexor tendons and the median nerve at the wrist. He was in hospital for 3 days and underwent two separate operations, and subsequently took physiotherapy treatment for several weeks. He continues to have numbness and is considered as having a 20% permanent disability for which he received compensation from the Workers' Compensation Borad. He had to discontinue a machinist course which he was pursuing at a community college. There were no arrests made in connection with this occurrence due to lack of identification.
Award: Pain and suffering $5,000.00, expenses and disbursements $906.09.

[redacted] A 33 year old male cab driver was injured as the result of an unprovoked assault. He picked up the offenders and before his cab left the curb the offender in the front seat became verbally abusive, and then physically violent. The second offender joined into the attack and both men dragged the applicant from his cab and continued to beat him. He was taken to hospital and treated for a laceration to his lip and other cuts and abrasions, and

released. He was unable to work for 2 weeks. The 1st offender was charged with ABH, but the charge was withdrawn when the 2nd offender pleaded guilty to ABH and was fined $400.00 or 90 days.
Award: Pain and suffering $500.00, loss of wages $400.00, expenses and disbursements $180.00.

200-8459 A 27 year old female security guard was assaulted by the offender, a shoplifting suspect. While asking the offender to return to the store, the applicant was assaulted. Her left thumb was bent backwards, tearing ligaments. She also received a small laceration to her upper lip. The thumb was treated with a splint and her lip healed in 10 days. She was unable to work for two weeks and loss of wages was covered by the Workers' Compensation Board. The applicant also worked as a part-time cocktail waitress and this loss of wages was not covered by compensation. The offender was convicted of theft under $200.00, and fined $50.00 or 15 days in jail, and of assault and fined $200.00 or 60 days, consecutive.
Award: Pain and suffering $700.00, loss of income $200.00 expenses and disbursements $14.70.

200-8501 A 47 year old male factory worker was assaulted when he witnessed two offenders stealing a bag of potatoes from a store. The applicant was taken to hospital where it was discovered that there seemed to be some air within the left orbital margin, although no cranial fractures were identified. The two offenders were charged with two counts of common assault receiving concurrent terms of 15 days and 15 days and 45 days and 45 days respectively.
Award: Pain and suffering $500.00.

200-8539 A 46 year old female tour consultant was stabbed as she went to the aid of a taxi driver whom she believed was being robbed. She wrestled a gun from the offender, and while detaining him was stabbed in the leg with a knife. She was hospitalized for 3 days and returned to work 1 week later. Four of her 5 days absence was covered by her employer. It is worth noting that the applicant received a Governor General's Medal for bravery. The offender, whom had already killed one person and wounded 3 others was sentenced to life imprisonment.
Award: Pain and suffering $3,000.00, pecuniary losses $87.34, expenses and disbursements $220.00.

200-8570 A 38 year old seamstress was assaulted with a shovel and sustained a fracture of the right ulna which eventually required surgery for the insertion of a plate in her arm. Because of the injury she was absent from work for a total of three months and has chosen to keep the plate in place unless it causes further problems. No offender has been charged as a result of this assault.
Award: Pain and suffering $3,000.00, loss of income $1,958.00, expenses and disbursements $240.00.

200-8648 A 36 year old welder was assaulted in a laneway by four men armed with a machete, metal bar, hammer and a 2" by 4". Although the police arrived before further injuries could occur, the applicant received a slash across the left wrist with a machete, for which he required surgery to repair

lacerated tendons. After extensive physiotherapy the use of his fingers has been regained but the wrist is severely restricted. He was absent from work for 23 weeks. One offender pleaded guilty of ABH for which he received a one year suspended sentence, plus one year probation. Section 26(2) of the Act was recommended for possible recovery of funds from the offenders.
Award: Pain and suffering $2,000.00, loss of income $5,661.87, expenses and disbursements $500.00.

269-0668 A 58 year old machinist was the victim of a robbery with violence, committed by an unknown person. He was knocked unconscious and had his wallet stolen. Upon arrival at hospital, he was diagnosed as having sustained a laceration of his left eyebrow, a contusion of his left chest wall and a fracture of his left cheek-bones, for which surgery was required. No offender has been charged.
Award: Pain and suffering $2,000.00, loss of income $512.00, expenses and disbursements $547.71.

269-0725 A 17 year old male student was the victim of an unprovoked assault, outside a fast-food restaurant, when he refused to be engaged in a conflict with the offender. When he refused to fight, the offender punched him in the back of the head. A delayed reaction occurred and he found himself unsteady on his feet and dizzy. He checked into hospital the next day and was diagnosed with positional vertigo and post-traumatic vestibular disfunction which lasted for 5 months. The offender was found guilty of ABH and fined $150.00, plus one year probation.
Award: Pain and suffering $3,000.00, loss of income $328.00, expenses and disbursements $742.00.

269-0759 A 20 year old male student was assaulted by the offender, who forced the car he was in off the road. The offender leaped off his car and began to smash the other car with a hammer. The driver of the car was rendered unconscious, and the passenger received a minor injury to his lower lip. The offender was charged with ABH and sentenced to 2 years in jail concurrent with a 3 year term.
Award: Pain and suffering $250.00, expenses and disbursements $25.00.

269-0769 A 47 year old homemaker was the victim of an unprovoked assault, when the offender attempted to take her as hostage. During the ensuing struggle, the offender shot the homemaker in the left hand and fled. Police were notified and she was taken to the hospital where surgery removed metal fragments from the hand. Hospitalization lasted for 5 days and was followed by 3 months of physiotherapy. The offender was charged with robbery, kidnapping and weapons dangerous and sentenced to a total of 11 years imprisonment.
Award: Pain and suffering $4,000.00, expenses and disbursements $106.22.

269-0918 A 29 year old male self-employed carpentry contractor was assaulted by the offender at an intersection. Both men had been travelling in the same direction and had stopped at an intersection, when an altercation developed. The offender got out of his car and approached the applicants passenger side. When the applicant got out he was stabbed in the right chest

area. He was taken to a police station and then rushed to hospital, where he remained for 24 hours. He sustained a two centimetre laceration to his chest, and was given tranquillizers, pain and sleeping pills. He suffers from continual pain, nervousness, anxiety, and insomnia. He was off work for 4 weeks. The offender was found guilty of ABH and fined $500.00 or 30 days.
Award: Pain and suffering $1,500.00, loss of wages $2,000.00, expenses and disbursements $1,628.00.

200-0849 This application was brought forward by the mother of a 15 year old male minor who was assaulted by two men, who had forced his bicycle off the road with their vehicle. He made an obscene jesture towards the vehicle, at which point the vehicle blocked his path, and the occupants got out of the car, punched him in the face and fled. He was taken to hospital, after severe facial swelling was noticed by his father. X-rays revealed a fractured mandible which required wiring to correct. The two offenders were charged and convicted of ABH and sentenced to 60 days and 90 days in jail. Due to the minor's gesture towards the men, Section 17(1) was invoked to reduce the award for pain and suffering.
Award: Pain and suffering $500.00, expenses and disbursements $138.10.

200-0879 A 20 year old male truck driver was severely injured in a practical joke by the offender. The offender drove a front end loader behind the applicant in an attempt to frighten him. The loader skidded and struck the applicant knocking him into a pile of metal. Police were called and the applicant was taken to hospital. He had numerous lacerations to the right side of his body and to two fingers of his right hand, lacerations to right forearm and fractured thigh. Surgery was necessary and an open reduction and insertion of plate and screws was performed. His right hand also required surgery to repair tendon damage. The plate has since been removed and one leg is 1/4 of an inch shorter. The offender was charged with criminal negligence and pleaded guilty to dangerous driving and fined $200.00 or 25 days in jail.
Award: Pain and suffering $5,000.00, plus expenses and disbursements $739.50.

200-0903 A 42 year old waiter was the victim of an unprovoked assault. He was assaulted by an inebriated customer with a broken beer glass. The applicant sustained severe lacerations to his face, neck and surgery was necessary to repair tendon damage in 4 fingers. His face and neck may require future revision because of scars. He was advised of Section 25* of the Act in case of further surgery. Charges against the offender were dismissed.
Award: Pain and suffering $2,500.00, expenses and disbursements $350.00.

200-0939 A 31 year old male correctional officer was the victim of an assault by an inmate as he was returning the offender to his cell. In hospital he was diagnosed as suffering from nerve damage to the right hand and arm, which required surgery. That surgery proved only partially effective and the remaining deficiency is irreparable. No charges were laid against the offender in regards to this case.
Award: Pain and suffering $3,000.00, expenses and disbursements $487.14.

200-0955 A 21 year old male re-training student was having a drink with his uncle, when he approached the offender and inquired about an incident

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involving his wife a few weeks earlier. After a brief discussion he left the table and was hit from behind by the offender. The offender has a poor reputation and had been charged with assault more than once. The applicant sustained a fractured jaw and dental damage with resultant mal-occlusion. The jaw was wired for several weeks and further dental treatment may be necessary. Section 25* of the Act was cited with regards to future treatment. The offender was charged with ABH and sentenced to 60 days in jail.
Award: Pain and suffering $2,000.00, expenses and disbursements $485.78.

200-9037 A 48 year old unemployed male was assaulted at his residence when the alleged offender went beserk, wounding several people and killing one man. The victim was struck over the head with a gun, and he required sutures to close the laceration. He also suffered with headaches, dizziness and anxiety. Charges relating to this assault were not proceeded with when the offender was sentenced to life imprisonment on a related murder charge.
Award: Pain and suffering $1,000.00, expenses and disbursements $495.75.

200-9076 A 26 year old male motor rebuilder was injured as the result of an argument with the offender. He was struck from behind with a file and received a minor laceration to his left ear, and two puncture wounds to his left shoulder which required three sutures. The offender was charged and pleaded guilty to wounding and weapons dangerous, and was fined $200.00 or 20 days and $50.00 or 5 days consecutive.
Award: Pain and suffering $700.00, expenses and disbursements $321.28.

200-9123 A 42 year old male shipper was attending a party when he was struck in the face with a beer pitcher. He was taken to hospital and diagnosed with multiple facial lacerations and occular injuries which required surgical repair. He is left with no useful vision in the right eye. The unknown assailant has never been identified.
Award: Pain and suffering $4,000.00, loss of income $446.56, expenses and disbursements $605.00.

200-9135 A 44 year old male retail store owner was the victim of a stabbing and robbery. He was stabbed once in the neck and three times in the abdomen before the offender fled with money from the cash drawer. He was rushed to hospital and underwent an operation on his neck wound, and a laporotomy. Complications arose due to a pre-existing iniguinal hernia and a second surgical procedure was necessary. His recovery was slow and extra help was necessary in the store during his convalescence. No offender has ever been apprehended in this incident.
Award: Pain and suffering $6,000.00, loss of income $2,178.42, expenses and disbursements $203.85.

200-9150 A 33 year old male millwright was attacked by 3 offenders who attempted to hang onto his car bumper and slide along the street. While attempting to accost the offenders, a scuffle ensued and he was kicked and punched by the 3 offenders. Police were notified, and he was rushed to hospital. He sustained facial cuts and bruises to the left shoulder and lower rib cage. He was unable to work for 20 days. The offenders were charged with ABH and sentenced to two years probation.
Award: Pain and suffering $1,000.00, loss of income $528.50, expenses and disbursements $230.00.

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200-9172 A 51 year old male police officer was bitten in the right leg by the offenders dog, as he attempted to arrest the offender. He was diagnosed and treated with 17 sutures for a dog bite to the lower right leg. The applicant was unable to work for 7 days and loss of income was covered by the Workers' Compensation Board.
Award: Pain and suffering $600.00, expenses and disbursements $45.78.

200-9191 A 37 year old male roofing company proprietor was injured as the result of a brawl with the offender. Both men had been drinking in the offenders home when an argument broke out. The applicant was struck in the eye with a stick. He sustained a laceration of the lower left eyelid and a disruption of the left globe eyeball. The injury was sutured at the hospital, however, sight was completely destroyed by infection and post trauma after surgery. The Board considered all the evidence, in particular the intoxication of the victim, and reduced the award under Section 17(1) of the Act.
Award: Pain and suffering $4,000.00, expenses and disbursements $1,340.24.

200-9210 A 25 year old off duty male police officer was struck without provocation on the back of his head and wrist, with a wrench by the offender. The offender had become verbally abusive towards the officer's wife, and then began to attack the officer. He sustained a bruised wrist and a laceration to his scalp, which required four stitches to close. The offender was convicted of ABH and weapons dangerous and fined $500.00 plus 1 year probation. An investigation will be made under Section 26(2) of the Act for recovery from the offender.
Award: Pain and suffering $500.00, expenses and disbursements $20.00.

200-9219 A 26 year old male baker was assaulted by 6 people armed with a baseball bat and other weapons, while he slept. He suffered cuts, bruises, and abrasions to his face and head, as well as fractures of the ring and little finger of the left hand. Sutures were required to close the wounds and he was unable to work for 5 weeks. The offender was convicted of assault and given two years probation. The other offenders were acquitted. The Board examined the stormy and sordid relationship between the applicant and the offender and made a reduced award under Section 17(1) of the Act.
Award: Pain and suffering $1,500.00, loss of income $1,373.00, expenses and disbursements $315.00.

200-9231 A retired male was the victim of an unprovoked assault, as he entered the washroom at a Geriatric Care Centre. After falling to the floor he was kicked in the head. The offender fled when a nurse arrived on the scene. His glasses were broken and he received a cut under his right eye which later became bruised. Eleven months later he underwent surgery for the removal of a cataract in his left eye which medical evidence indicated was a direct result of the assault.
Award: Pain and suffering $800.00, expenses and disbursements $259.00.

200-9248 The applicant is the father of a 2 year old child who died as the result of an assault. The offender was found guilty of second degree murder and sentenced to life imprisonment. The claim is for funeral expenses and 5 weeks loss of wages.
Award: Expenses and disbursements $1,393.00, Funeral expenses $1,079.00.

200-9271 A 67 year old male lawyer was the victim of an unprovoked assault by the offender, while attending an inmate disciplinary Board hearing. The offender threw a law book with great force across the room, striking the applicant in the face. He was taken to hospital and treated for severe bruising to the left cheek and lower orbital area with a scrape involving the zygoma region. He has been left with a permanent area of atrophy of the tissue of his left cheek the size of a silver dollar. The offender was charged with ABH and sentenced to 9 months consecutive.
Award: Pain and suffering $1,500.00, expenses and disbursements $427.00.

200-9299 A 37 year old male Assistant General Manager Sales for an airline company was struck in the back with a hunting knife, as he turned his back on the service counter in his office. He was taken to hospital immediately, and the knife was recovered surgically revealing that his spinal chord had almost been completely severed. He remains paralyzed from the mid-back down and is confined to a wheelchair as a paraplegic. The offender was charged with attempted murder, but acquitted on the grounds of insanity and confined to a criminally insane institute.
Award: Pain and suffering $15,000.00, expenses and disbursements $824.26.

200-9333 A man was assaulted by 6 people armed with a baseball bat and other weapons, while he slept in his brother's home. He suffered dental damage, bruising and lacerations to his head. The lacerations were sutured, no fractures were discovered and dental surgery was required to remove two teeth. Further surgery has also been suggested but not completed. Section 25* of the Act was cited with regards to further dental work. The offender was charged with assault and given two years probation. The others were acquitted.
Award: Pain and suffering $1,500.00, expenses and disbursements $409.00.

200-9360 A 39 year old male self-employed truck stop proprietor was assaulted by two masked offenders, as he returned home with the daily receipts. The offenders used iron bars to assault the applicant, took his briefcase, which contained the receipts, and fled. He was treated for head injuries and a deep laceration above his left ear requiring sutures. He was unable to work for two weeks. The two unknown offenders have never been apprehended despite continual police investigation.
Award: Pain and suffering $1,200.00, loss of wages $261.00, expenses and disbursements $20.00.

200-9392 A 53 year old male Commissionaire was the victim of an unprovoked assault in his home. He sustained two fractures to the jaw which required surgical repair and wiring for six weeks. Due to a problem with the occulsion, it was a further six months before recovery was complete. He was absent from work for 5 weeks. The offender was convicted of ABH and sentenced to 30 days or $300.00 plus 1 year probation.
Award: Pain and suffering $2,200.00, loss of income $372.70, expenses and disbursements $288.75.

200-9418 A 35 year old male security guard was struck in the jaw by the offender as he attempted to disperse a group of youths drinking in a park. He was treated in hospital for a broken jaw. He was absent from work for 36

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working days. The offender was convicted of ABH and sentenced to 18 months in jail for this and other offences.
Award: Pain and suffering $1,200.00.

200-9442 A 41 year old male real estate salesman was injured as the result of an attack in a laneway by a group of offenders. He sustained a cerebral concussion, a scalp abrasion, facial contusions and dental damage. He is unable to remember anything about the assault. He was unable to work for one month after the incident. No offenders were charged regarding this occurrence. Section 25* of the Act was cited in regards to further dental work.
Award: Pain and suffering $1,500.00, loss of income $900.00, expenses and disbursements $180.00.

200-9485 A 26 year old female nursing assistant was stabbed three times by the offender, her estranged husband. She sustained stab wounds to her left chest, right arm and right hand for which she underwent operative procedures to repair a portion of her liver and the nerves in her arm. She was hospitalized for 14 days and was off work for 19 weeks and 2 days. The offender was charged with wounding and received a term of four years plus two years probation.
Award: Pain and suffering $6,000.00, loss of income, $1,210.10, expenses and disbursements $690.80.

200-9502 A 42 year old male miner was the victim of a shooting at the home of his aunt. The offender, a handyman at the home, shot the applicant after being ordered to leave the property. Both men had been drinking very heavily. Medical examination revealed that the bullet entered and exited the applicant's chest and embedded itself in his upper right arm. No major damage occurred, and he was absent from work for nine weeks. The offender was convicted of wounding and sentenced to six months imprisonment, plus twelve months concurrent on a related charge. The Board considered all of the evidence and cited Section 17(1) of the Act to reduce the Award.
Award: Pain and suffering $500.00, loss of income $704.00, expenses and disbursements $266.00.

200-9524 A 35 year old unemployed male was assaulted and robbed in his own home. The offenders broke into the applicant's home, attacked him, knocked him unconscious, bound and gagged him and robbed him of $300.00 and his car. He sustained multiple facial bruising, swelling, and lacerations which required suturing. A number of charges were laid and one offender was sentenced to two years in jail.
Award: Pain and suffering $1,500.00, expenses and disbursements $283.00.

200-9546 A 61 year old housewife was the victim of an assault in her residence. She was struck on the head with an iron poker by the offender who had broken into the house. She sustained bruises to her left thigh, wrist and forearm, two lacerations of the forehead and her scalp required a total of 10 sutures. She also sustained a skull fracture of the left frontal temporal region and was in hospital for 5 days. She was unable to return to work for 5 months. The offender was convicted of ABH and received a suspended sentence plus probation for 2 years and must continue psychiatric treatment.
Award: Pain and suffering $3,000.00, loss of income $2,319.00, expenses and disbursements $560.60.

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200-9584 A 35 year old male transport driver was the victim of an unprovoked assault by the offender as he left a restaurant. He was beaten about the face and when he fell, the offender kicked him repeatedly. Police were notified and he was taken to hospital, diagnosed as having lacerations to both eyes, a fractured nasal bone, haematoma of the nasal septum, fracture of the nasal cartilage and an undisplaced fracture of the base of the first metacarpal. A closed reduction and septoplasty was carried out. He was unable to work for 4 weeks. The offender was charged with ABH, pleaded guilty to common assault and was sentenced to 8 months in jail plus $880.00 restitution and 1 year probation.
Award: Pain and suffering $2,000.00, expenses and disbursements $14.70.

200-9589 A 46 year old female machine operator was the victim of an assault by the offender in a parking lot. She was punched and kicked in the head, face and body. She was admitted to hospital for three days with head injuries, bruising and a fractured rib. She also suffered from headaches, nose bleeds, general pain and weakness for approximately 4 months. The offender was convicted of ABH and fined $200.00 or 40 days plus two years probation.
Award: Pain and suffering $1,200.00, expenses and disbursements $155.20.

200-9613 A 30 year old male security manager was punched twice and beaten about the left ear by the offender, a suspected shoplifter. He was treated in the hospital for laceration and puncture wounds to his left ear. The offender pleaded guilty to common assault and was sentenced to a fine of $400.00 or 60 days. An investigation will be made into the possibility of recovery from the offender pursuant to Section 26(2) of the Act.
Award: Pain and suffering $900.00, expenses and disbursements $389.71.

200-9627 The applicant is the wife of a 31 year old male who was murdered. The claim is for funeral expenses and loss of income. The latter claim is still under consideration and she was therefore advised of Section 25* of the Act. The offender has never been found.
Award: Expenses and disbursements $1,795.00.

200-9650 A 33 year old male public transit bus mechanic was the victim of an assault. He was struck with a rock over the right eye and knocked unconscious. He was then robbed. He suffered a fractured jaw, a laceration over the eye requiring three stitches and post-traumatic vertigo. His jaw was wired for 18 days and he was off work for two months. The transit authority covered most of the lost income and he was advised of Section 25* if further problems arose. No offender has been apprehended in this incident.
Award: Pain and suffering $3,000.00, loss of income $233.24, expenses and disbursements $360.00.

200-9675 A 17 year old male was the victim of an unprovoked assault by the offender, who had made rude remarks towards the applicant's girlfriend. As he turned to face the offender, he was punched in the mouth. He was driven to hospital and remained there for 4 days where a bilateral fracture of the mandible was properly aligned and immobilized with interdental wires. He also suffered damage to his lower left first and second bicuspids. When the dental repairs have been completed, the Board will consider payment not to exceed the estimate of these repairs on file.
Award: Pain and suffering $1,500.00, expenses and disbursements $422.00.

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200-9667 A 27 year old male Provincial Park Warden was cut over his left eye while attempting to subdue the offender who became violent while he was resisting arrest by the O.P.P. He received 4 stitches which were removed 7 days later and the laceration healed in 3 weeks. The offender pleaded guilty to assaulting a peace officer and received a fine of $250.00.
Award: Pain and suffering $350.00, expenses and disbursements $267.80.

200-9769 A 31 year old male inmate was assaulted by a blunt instrument while watching television in a prison common room. He was taken to hospital and diagnosed with a possible fracture of the right orbit. No repairs were needed. He also suffered bleeding on the anterior chamber of the right eye. Due to lack of evidence the police investigation was dropped and no offender has been charged.
Award: Pain and suffering $600.00, expenses and disbursements $193.80.

200-9772 A 34 year old male carpenter was the victim of an assault by two assailants as he was parking his car outside his home. He was struck about the face by two men, then pulled from the vehicle and kicked until he lost consciousness. Several keys were then removed from his pocket and the assailants fled. Police were notified and he was treated at hospital for severe facial cuts, an undisplaced fracture of the nose, some dental damage, body bruising and emotional trauma. He was unable to work for three weeks. Section 25* was cited with regards to future dental costs. The alleged offenders have never been apprehended.
Award: Pain and suffering $3,000.00, loss of income $1,746.00, expenses and disbursements $146.54.

200-9804 A 38 year old male automotive serviceman was the victim of a stabbing by the offender. He was stabbed repeatedly by the offender with a pair of scissors. Police were notified and he was rushed to hospital and diagnosed as having stab wounds to his left eye and neck, requiring immediate surgery. He was hospitalized for 5 days and was off work 10 weeks. Medical evidence on file indicates that he has completely lost sight in his left eye and the same will have to be removed in the near future and replaced by a prosthesis, Section 25* of the Act was cited. The offender was charged with wounding and sentenced to prison for 2 years less a day.
Award: Pain and suffering $5,000.00, expenses and disbursements $741.20.

200-9806 A 20 year old salesman was assaulted by the offender in his own backyard. The applicant was reprimanding an unknown person for attempting to steal bottles stored in the backyard, when the offender turned on the applicant, stabbed him with a knife and fled. Police were notified and he was taken to hospital and treated for stab wounds to his stomach and a facial laceration. He was in hospital for 6 days and off work for 31 days. No offender has ever been apprehended.
Award: Pain and suffering $2,500.00, pecuniary expenses $1,010.00, expenses and disbursements $120.00.

200-9816 A 37 year old male restaurant owner was the victim of an assault by three offenders, whom the applicant refused to serve because of their intoxicated condition and behaviour. When the offenders were refused service

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they began to smash furniture and then struck and kicked the owner. The police were called and he was treated at hospital for multiple abrasions to the head, back and legs. He was unable to work for two weeks and the body bruising took several months to heal. The offenders were charged with mischief to private property and common assault and sentenced to jail with varying sentences.
Award: Pain and suffering $1,000.00, loss of income $500.00, expenses and disbursements $235.00.

200-9834 A 26 year old male restaurant owner was assaulted outside his restaurant by the offender. While driving to the restaurant the applicant abruptly changed lanes in order to avoid an accident. In doing so, he inadvertantly cut off a truck driver who took offence and followed the applicant. When the applicant got out of his car he was punched and kicked. He sustained multiple bruises and abrasions and extensive dental damage. One tooth was fractured, one was loosened, and one was avulsed. He required treatment for 10 months when a fixed bridge was installed. He was unable to work for 2 weeks and required extra help within the restaurant. The offender was convicted of ABH and a warrant is outstanding.
Award: Pain and suffering $1,500.00, pecuniary expense $300.00, expenses and disbursements $405.00.

200-9858 A 26 year old male was the victim of an assault by the offender. The applicant's wife and daughter were driving along a street and passed the offender who was washing out his gutter. As the applicant's car passed the offender he turned and accidently sprayed the interior of the car. The applicant stopped the car and approached the offender, who had retreated to his backyard. Angry words were spoken and the offender picked up a shovel and chased him. The applicant fell and was struck with the shovel. He sustained a sprained wrist, bruises on one shoulder and his right knee and muscular pain. He was off work for two weeks. The offender was privately charged with common assault and found guilty and fined $250.00 or 30 days.
Award: Pain and suffering $750.00, expenses and disbursements $334.90.

200-9875 A 42 year old female hairdresser was the innocent victim of a stabbing in her home by the offender, her father. After going to make a phone call for her father, she was stabbed 10 times with a steak knife. She sustained multiple stab wounds to her neck, breast, chest, and arm. She was in hospital for 10 days. In addition, she acquired psychoneurosis, acute anxiety, mild depression and hypochondriasis. The offender was charged and convicted of wounding and sentenced to three years imprisonment plus psychiatric treatment if required.
Award: Pain and suffering $5,000.00, expenses and disbursements $770.80.

200-9880 A 30 year old male was assaulted by the offender, his brother-in-law. The offender was using foul language in front of his wife and children. When asked to stop he refused and was asked to leave. Upon this request, the offender attacked him and eventually fell on top of him. The police were notified and he was taken to hospital and treated for a dislocated right shoulder. He wore bandages and a sling for three weeks and lost 4 days pay. The offender was convicted of ABH and fined $300.00 plus 9 months probation.
Award: Pain and suffering $1,500.00, loss of income $255.38, expenses and disbursements $46.50.

200-0906 A 20 year old male nursing attendant was the victim of an unprovoked assault by two male offenders. He tried to avoid the attack but, was struck in the face. He sustained a double fracture of the mandible, which required wiring for 6-1/2 weeks. While on a liquid and soft diet for 10 weeks he lost 50 pounds. He also had four molar teeth extracted and required numerous trips to the dentist. The applicant was unable to work for 8 days. The offender was convicted of ABH and sentenced to 10 days plus 12 months probation.
Award: Pain and suffering $2,000.00, loss of income $371.04, expenses and disbursements $661.25.

200-0923 A 35 year old male taxi driver was stabbed by a female offender when he asked for the taxi fare. She pulled out a knife and stabbed him in the chest. He was driven to hospital by a passerby and was virtually dead on arrival but was resusitated. He underwent a thoracotomy for repair of the right ventricle of the heart and further exploration of the wound followed. He remained in hospital for 11 days and required a further month of nursing care. He continues to suffer from pain in the chest area and muscle spasms in the back. He returned to work with reduced hours and sustained a loss of income. The offender pleaded guilty to wounding and was sentenced to one year in prison plus two years probation.
Award: Pain and suffering $6,500.00, loss of income $6,000.00, expenses and disbursements $1,223.86.

200-0941 A 21 year old unemployed male was the victim of an unprovoked assault by the offender with a broken pool cue and a butcher knife. He was slashed across his left arm and upon reaching the hospital was diagnosed as having sustained a laceration of both the radial and posterior cutaneous nerves. The offender pleaded guilty to ABH and was sentenced to 15 months imprisonment.
Award: Pain and suffering $2,500.00.

200-0954 A 41 year old man was attacked without provocation by a fellow restaurant employee, with a cleaver. He was struck twice across the forehead. The wounds over the forehead and vertex were sutured at hospital. He was unable to work for 13 weeks. Workers' Compensation covered his lost wages, but not lost tips. The offender was convicted of ABH and given a suspended sentence plus two years probation.
Award: Pain and suffering $4,000.00, loss of income $1,000.00, expenses and disbursements $551.24.

200-0968 A 17 year old student was the victim of an unprovoked attack by the offender at or near the grounds of a High School. He was punched about the face and head, kicked in the stomach, and fell off a curb into the bumper of a vehicle. At the hospital he was found to have cuts and bruises to his face, and abdominal damage which required a splenectomy. The offender was convicted of ABH and had his sentence reduced from 90 days in jail to 60 days in jail plus 1 year probation.
Award: Pain and suffering $2,700.00, expenses and disbursements $601.72.

200-0987 A 70 year old male architect/engineer was the victim of an assault by a tenant in the apartment below his. While explaining to the

superintendent about the noise, the offender broke down the applicant's door and began striking him on the head and upper body. The police arrived and he was rushed to hospital where he was treated for several bruises and lacerations to the face. He also required extensive dental treatment and was informed of Section 25* of the Act if further costs were incurred. The offender was convicted of ABH and sentenced to 60 days in jail with 3 years probation.
Award: Pain and suffering $1,500.00, expenses and disbursements $555.29.

200-0004 A 20 year old male labourer was the innocent victim of an assault. He was struck in the face, resulting in open and closed reduction and the extraction of two teeth. The mandible was wired for 6 weeks and the applicant lost approximately 30 pounds as a result of not being able to eat solid food. He attended the dentist weekly to have the wires tightened and was unable to work for six weeks. The offender was convicted of ABH and sentenced to 30 days in jail plus 2 years probation.
Award: Pain and suffering $1,500.00, pecuniary loss $220.00, expenses and disbursements $710.00.

922-016003 A 21 year old male was the victim of an assault while drinking and dancing at a tavern with 4 other companions. He was suddenly struck for no apparent reason. He was dazed and confused as a result of the punch to the jaw, he was again kicked by the offender who then fled. He was taken to hospital with a double fracture of the jaw, a broken nose, black eyes and dental problems. He was hospitalized for 5 days. His jaw was wired shut for several weeks and he has a permanent pin in his jaw. The lower two front teeth were damaged and the applicant required root canal surgery. He was advised of Section 25* of the Act for further dental care. He was also off work for 6 weeks and 2 days. The offender pleaded guilty to wounding and was sentenced to 3 years in jail.
Award: Pain and suffering $3,000.00, loss of income $889.06, expenses and disbursements $893.59.

922-016015 A 22 year old male was at a hotel with his brother for a beer, when he spoke to the offender's brother who was playing pool. Suddenly, the offender, without provocation punched the applicant. He was taken to hospital the following morning where it was discovered that he had suffered a fractured mandible with displacement and a mal-occlusion, and an injury to his teeth. He had inter-maxillary fixation to reduce the compound comminuted fracture of the symphysis and fractures of the left ramus of the mandible. Further dental work may be required. The offender was given seven days in jail plus 3 months probation.
Award: Pain and suffering $1,500.00, expenses and disbursements $1,498.80.

922-016023 A 37 year old bus driver was severely beaten by the offender, when he objected to the offender attempting to use an old student fare pass. He received injuries to the left side of his face and complained of double vision and numbness which was in keeping with a fracture of the floor of the left orbit. He was off work for 5 weeks and 2-1/2 days and again 5 days later. It was discovered that he will continue to have flare-ups. The offender was convicted of ABH and sentenced to 10 days in jail.
Award: Pain and suffering $3,500.00, pecuniary loss $885.86, expenses and disbursements $791.00.

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922-010034 A 49 year old unemployed male was the victim of an attack by means of an axe handle. He had spent the day drinking, and returned home to sleep when the offender came in wanting a beer. A scuffle ensued and he was struck repeatedly with the axe handle. He sustained multiple bruises and abrasions to the body, a dislocated left elbow, a depressed fracture of the left zygoma and cerebral concussion. The zygomatic fracture required open reduction and wiring, the dislocated elbow was treated and placed in a cast for 2 weeks. The offender pleaded guilty to the reduced charge of ABH and sentenced to one year in jail, plus one year probation. The Board, upon examining the evidence, invoked Section 17(1) of the Act to reduce the award for pain and suffering.
Award: Pain and suffering $900.00, expenses and disbursements $336.35.

922-010057 A 84 year old female was assaulted by the offender who snatched her purse and knocked her to the ground. She was treated for a fracture of the left superior public ramus, a refractured left clavicle and a fractured left olecranon. No offender has been apprehended.
Award: Pain and suffering $3,500.00, expenses $20.00.

922-010060 A 37 year old unemployed male draughtsman was beaten and kicked about the head, face and ribs by 2 offenders, when he left his home to investigate a noise. When outside, he apprehended a young intruder who called to his friend, and both men attacked the applicant. He was taken to hospital and was treated for a broken cheek-bone, a broken rib, and an assortment of bruises. He underwent open reduction surgery to repair a broken zygoma. No offenders have been apprehended.
Award: Pain and suffering $2,500.00, expenses and disbursements $507.27.

922-010066 A 29 year old male accountant was the victim of a stabbing by the offender with whom his wife was involved. The offender entered the applicant's home, chased him about the house and finally cornered him in the bathroom. He was then stabbed repeatedly 17 times in the head, arms, legs and stomach. After surgery a small piece of the knife still remains. He was off work for 13 weeks. The offender pleaded guilty to wounding and received 6 months in jail.
Award: Pain and suffering $4,000.00, loss of income $2,089.61, expenses and disbursements $588.40.

922-010068 A 24 year old male police officer was injured while attempting to arrest a drunken minor. He suffered from bone chips to the right shoulder causing considerable pain. Surgery was performed and may again be necessary. He was off work for 6-1/2 months, and his loss of income was covered by the Workers' Compensation Board. The offender was charged with the unlawful consumption of alcohol and given a suspended sentence.
Award: Pain and suffering $3,000.00, expenses and disbursements $200.00.

922-010106 A 25 year old male accountant was attacked in a basement parking garage by two offenders. He was robbed and then hit on the face and head, opening a cut under the right eye. He declined the request of the police to be taken to hospital and claims that he was unable to open his mouth fully for a few days. The offenders were not apprehended.
Award: Pain and suffering $150.00.

922-010120 A 37 year old male steel worker was assaulted by the offender as the result of a car accident. His car was struck from behind, by the car of the offender's brother. After the collision the offender left his car and struck the applicant about the head and face. He was taken to hospital, suffered from bruises to his right eyeball,cheek-bone, and head, as well as an injury to a facial nerve. The offender pleaded guilty to ABH and was fined $100.00 or 10 days in jail.
Award: Pain and suffering $1,800.00, expenses and disbursements $340.74.

922-010132 A 35 year old male security guard was assaulted by a tenant, at his place of work. He was struck by a piece of pipe sustaining a bruise to the left lower leg, a soft tissue injury to his left wrist and a dislocation to the joint of the fifth finger on the left hand. For 7 months he underwent therapy and has been left with a mallet finger deformity. The Workers' Compensation Board covered his loss of income. The offender was convicted of common assault and given a conditional discharge plus two years probation. An investigation will be made into the possibility of recovery from the offender pursuant to Section 26(2) of the Act.
Award: Pain and suffering $2,000.00, expenses and disbursements $345.00.

922-010143 A 19 year old male tavern doorman was assaulted while on duty. He sustained multiple contusions and abrasions to his face, head and back, as well as a hemorrhage of the right eye, which caused blurring of vision. The eye injury was corrected with drops and he was able to return to work in two weeks. The offender was charged privately with ABH but it was withdrawn and the judge placed the offender under a peace bond of $5,000.00 for 1 year and ordered that upon default he would be jailed for 60 days.
Award: Pain and suffering $1,000.00, pecuniary loss $116.65, expenses and disbursements $408.10.

922-010157 A male building contractor/farmer was assaulted by four men as he stepped out of his truck to survey a contract sight. Upon leaving the truck he was set upon by the offenders carrying clubs. He was repeatedly struck and eventually knocked down. He was then told to walk straight ahead and not look back or he would be shot. He sustained multiple injuries including bruising over the maxilla, a laceration in the left auricle, and above the left upper lip. He had bruising over the thoracolumba spine with an abrasion to the right lower thorax. He had welt-like lesions on his buttocks and swelling and tenderness over the right dorsum of the right hand. Both shins were bruised and tender with small lacerations on both calves. A fracture of the distal shaft of the right radius and styloid process of the right ulna was also revealed. He is left with a permanent disability, which has resulted in a decreased annual earning. The offenders were jointly charged with ABH and intent to endanger the life of a person. Sentences of the four offenders varied from 2 to 3 years.
Award: Pain and suffering $7,500.00, pecuniary loss $7,500.00, expenses and disbursements $609.20.

922-010177 A 17 year old student and part-time clerk was struck in the face by the offender, after he refused to give the offender money. Police were notified and he was taken to hospital suffering from severe facial cuts and bruises which required suturing, an undisplaced fracture of the nasal bone and broken tooth. He was unable to work for one week. The offender was found guilty of

robbery and sentenced to 6 months in jail plus twelve months probation.
Award: Pain and suffering $800.00, pecuniary expenses $100.48, expenses and disbursements $700.00.

922-010183 A 21 year old male was severely wounded when he confronted the offender who had broken into his basement apartment. In the darkness of the apartment, he was stabbed several times by the offender. Fearing arrest, the offender refused to let him phone for an ambulance. Eventually the offender fled and the applicant was rushed to the hospital. He had sustained several lacerations to his cheek, neck, shoulder, armpit and finger, as well as abrasions and bruising. He also suffered a lung puncture which caused it to collapse. The lacerations were sutured and a tube inserted into the lung to re-inflate it and drain the liquids. He was released in 4 days. The offender was charged with attempted murder and was found guilty of the lesser offence of wounding, for which he received 12 months in jail.
Award: Pain and suffering $1,000.00, expenses $45.78.

922-010184 The applicant is the mother and grandmother of 2 murder victims, a 29 year old female and her 8 month old son. The offender pleaded guilty to two counts of second degree murder and was sentenced to life imprisonment on both counts, sentences concurrent one with the other. The claim was made for funeral expenses.
Award: Funeral expenses $1,800.00.

922-010198 This application was brought forward by a friend of a 17 year old male who was assaulted by the offender as the result of an argument. The victim refused to give money to the offender. He was kicked and then struck with a 15" pipe. He was hit on the left cheek, over the head and on one wrist. He suffered lacerations under his right eye and cheek. The offender was convicted of ABH and sentenced to a $300.00 fine. The award will be held in trust by the Accountant of the Supreme Court of Ontario until the victim reaches 18 years of age.
Award: Pain and suffering $700.00, (in trust), expenses and disbursements $479.75.

922-010201 A 67 year old retired female nurse was kicked, and stabbed by an intruder in her home. She received lacerations to the left paraspinal area and medial side of her right thumb. She also suffered minor injury to the left leg, a pulmonary embolism and a quite marked psychogenic shock. She spent a total of 40 days in hospital. The offender, was found guilty on a number of charges, including attempted murder and sentenced to a total of eight years in jail.
Award: Pain and suffering $5,000.00, expenses and disbursements $547.80.

922-010210 This application was brought forward by the mother of a 14 year old male student who was assaulted after a house league hockey game. Both boys were on opposing teams and had been in a fight during the game. After the game, he was struck by the offender with a hockey stick. The victim was taken to hospital where he underwent a craniectomy for the removal of a massive blood clot. He spent 15 days in hospital. Due to their ages, no charges were laid. The award will be held in trust by the Accountant of the Supreme

Court of Ontario until the applicant reaches the age of 18.
Award: Pain and suffering $4,000.00, (in trust), expenses and disbursements $979.25.

922-010217 A 33 year old male purchasing consultant was assaulted as he attempted to stop many offenders from vandalizing his car. He was stopped in traffic outside a building where a rock concert had just ended, when people began hitting and kicking his car, jumping on the hood, trunk and dancing and jumping on the roof. Windows were also being broken in the adjacent streetcar. When the applicant attempted to protect his car he was assaulted and knocked unconscious. He sustained, a large laceration on his forehead which required sutures, a fracture to the fifth finger of the left hand, and a cerebral concussion. It was 5 months before he could return to work. No offenders were apprehended.
Award: Pain and suffering $2,500.00.

922-010228 A 33 year old housewife was assaulted by a female friend with a beer bottle after an argument broke out about boyfriends. She was rushed to hospital and treated for a cut on her forehead, about one inch long, and a half inch cut to the lip and then released. The offender pleaded guilty to ABH and was fined $300.00 or 30 days.
Award: Pain and suffering $400.00, expenses and disbursements $145.00.

922-010256 A 49 year old male trucker was assaulted when he came to the aid of his son, who was being attacked by the offenders. When he enquired what was going on, an argument broke out and the offenders began to jab the applicant with fishing spears, and then poked his eyes with their fingers. His son retrieved a loaded shotgun and held the offenders until the police came. He was taken to hospital and diagnosed with bilateral subconjunctival haemorrhage in both eyes. No orbital fractures were present. The applicant is now left with residual double vision to his right eye, on extreme lateral gaze, and permanent paralysis of one of the muscles of the left eye. The offenders were charged with ABH and sentenced to 6 weeks imprisonment plus 15 months probation.
Award: Pain and suffering $3,500.00, expenses and disbursements $384.00.

922-010264 A 25 year old male cook was walking in a park when he saw a small fire and went to investigate. He was confronted by 4 males, two of whom attacked him. He was forced to the ground and then slashed across the chest with a knife. The assailants then fled. He was taken to hospital by ambulance, and treated for a four centimetre shallow laceration across the left chest, which required suturing. He was not hospitalized, but suffered from an anxiety neurosis syndrome, and underwent physiotherapy. His assailants were never apprehended.
Award: Pain and suffering $3,000.00, expenses and disbursements $488.10.

922-010269 A 33 year old male real estate salesman was assaulted by the offender when he came to the assistance of a female employee. She had been grabbed by the offender and when the applicant interrupted, he was struck in the face and knocked to the ground. He sustained a right foot injury involving a sprain and chipped bone. He was unable to work for 10 days. The offender was

charged with common assault but charges were later dismissed when the offender signed a restraining order and was placed on probation for 18 months. Section 25* of the Act was cited in respect to any future surgery.
Award: Pain and suffering $1,000.00, pecuniary expenses $284.00, expenses and disbursements $11.93.

922-010299 A 35 year old male pharmacist and property manager was assaulted without provocation by the offender. He was struck in the eye and after a length of time was seen by an ophthalmologist. He claims that he was absent from work for 8 days. A bench warrant has been issued for the offender who has not been found.
Award: Pain and suffering $400.00, loss of income $500.00, expenses $15.60.

922-010304 A 23 year old male crane operator was assaulted in a bar by the offender. He was hit in the left eye and knocked unconscious. His glasses were broken and he was taken to hospital with a diagnosis of soft tissue injury to his face, including a fat lip and facial cuts and bruises. He was off work one week and recovered from his injuries in 2 weeks. The offender was convicted of common assault and fined $500.00 or 90 days in jail. He was also found guilty of causing a disturbance for which he was fined $500.00 or 90 days in jail.
Award: Pain and suffering $800.00, pecuniary expenses $296.27, expenses and disbursements $121.00.

922-010310 An 18 year old male student was the victim of an unprovoked attack by the offender, a pizza delivery man. The applicant left a party where the man had just made a delivery and was walking home, when the offender drove up behind him, jumped out, and stabbed and slashed him with a knife. He was taken to hospital and treated for 8 days with a stab wound to the left chest and hemothorax. He developed a pleural fluid collection in his lung which was checked and treated regularly for 2 months. He was unable to work at his 2 part-time jobs for a period of 7 weeks. The offender was convicted of wounding and sentenced to 60 days in jail.
Award: Pain and suffering $900.00, loss of wages $793.50, expenses and disbursements $64.00.

922-010315 A 20 year old unemployed male was the victim of an unprovoked assault in the parking lot of a tavern, by several offenders. He was struck and kicked in the face for no apparent reason, after which the offenders fled. He was treated in hospital for facial cuts and bruises and a laceration to his right upper eyelid. He remained in hospital for 5 days. The applicant notified police, but to this date no charges have been laid.
Award: Pain and suffering $700.00.

922-010335 A 21 year old unemployed male was assaulted by a jealous acquaintance of the girl he was walking home. He was knocked unconscious, and admitted to hospital with multiple soft tissue injuries to his face, and a possible concussion. He was kept in hospital for one day. In addition, one bottom tooth was damaged and required root canal therapy. An upper tooth was also damaged, and had to be extracted and replaced with a partial plate. These expenses were covered by social assistance. No charges were laid in connection with this occurrence.
Award: Pain and suffering $2,200.00, pecuniary expense $372.70.

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922-010341 A 47 year old male telephone company employee was assaulted after he broke up a party that his son was having in the recreation room. He was kicked in the face by an offender who refused to help clean up after the party. He sustained multiple facial contusions, an undisplaced fracture of the nose, and dental damage. The offender was convicted of ABH and sentenced to 80 days plus 2 years probation.
Award: Pain and suffering $1,000.00, expenses and disbursements $458.00.

922-010358 A 30 year old male police constable was assaulted while attempting to apprehend the offender for causing a disturbance. He received some abrasions and contusions, but aggravated a pre-existing knee problem. An exploratory arthroscope was performed and revealed a fracture of the left patella with loss of cartilage. Further surgery may be necessary, and he was advised of the provisions of Section 25* of the Act. The offender was charged with assault with intent to resist arrest and creating a disturbance. He was convicted of the lesser offence of common assault for which he was sentenced to pay a fine of $200.00. He was also convicted of creating a disturbance for which he was fined $100.00.
Award: Pain and suffering $3,000.00, expenses and disbursements $648.52.

922-010363 A 57 year old retired male was the victim of an assault and attempted robbery by two men, near his home. He was knocked to the ground, punched and kicked in the head and face. He suffered extensive bruising, swelling, and soreness for 6 weeks. His upper dentures were also broken and had to be replaced. Despite police investigations, no offenders have ever been apprehended.
Award: Pain and suffering $1,500.00, expenses $922.00.

922-010381 A 54 year old title searcher was assaulted during a dice game. He was punched and knocked to the ground, sustaining facial lacerations and a head injury which resulted in a stroke and total left-sided paralysis. He was hospitalized for two weeks, and was in a rest home for 8 months. He has no use of his left hand or arm, as the disability is permanent. The various pensions and benefits he has received and continues to receive fully compensate him for the wages he was receiving at the time of the assault. Section 17(1) of the Act was used to reduce the award, due to the illegal activity of the applicant. Section 25* of the Act was cited in case further dental work is necessary. The offender was convicted of ABH and sentenced to 3 months in jail.
Award: Pain and suffering $6,000.00, expenses and disbursements $4,293.00.

922-010390 A 22 year old male university student was assaulted with a beer bottle by the offender, while at an Octoberfest celebration. He was not intoxicated, nor did he provoke the assault. The applicant received a laceration to his upper lip and a chipped front tooth. Further dental expenses may be necessary and the applicant was made aware of Section 25* of the Act. The offender was never apprehended.
Award: Pain and suffering $700.00, expenses and disbursements $113.00.

922-010399 A 53 year old unemployed male was assaulted while visiting the offender at his home. He was attacked with a wooden stick, after being blamed for calling the police and getting a mutual friend in trouble. He

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sustained multiple soft tissue injuries, lacerations under his chin, and a laceration of his left tibula region. He was given a tetnus injection and analgesics. Additional damage was done to his dental plate which was irreparable. Although the applicant was charged with theft under $200.00 and mischief to private property, the Judge accepted his explanation that these charges were concocted by the offender to justify the assault, and the charges were dismissed. The offender was convicted of ABH and mischief to private property and was sentenced to 2 months consecutive plus 18 months probation and $150.00 restitution for damages to the applicant's truck.
Award: Pain and suffering $2,000.00, expenses and disbursements $559.42.

922-010410 A 30 year old police constable was assaulted while attempting to arrest the offender. The offender was struggling and kicking as the police officer attempted to subdue him. The applicant received injuries to his left knee and ankle when he and the offender fell. He was taken to hospital and subsequently received physiotherapy treatment for several months. The offender was charged with mischief and resisting arrest. The charge of mischief was withdrawn, but the offender was found guilty of resisting arrest, sentenced to 6 months in jail, put on probation for one year, and ordered to pay $150.00 restitution to the applicant.
Award: Pain and suffering $1,200.00, expenses $80.00.

922-010417 A 21 year old male police officer was the victim of an assault, while attempting to apprehend the offender. He was taken to hospital for lacerations and treatment of a broken front tooth. The applicant was off work for seven days. Dental repairs and the loss of wages were covered by the Workers' Compensation Board. The offender was charged with assaulting a police officer and sentenced to 7 days, plus 2 years probation.
Award: Pain and suffering $500.00.

922-010431 A 22 year old unemployed male was the victim of a shooting when he was ordered from the offender's residence. Both men had spent the afternoon drinking and the offender was attempting to sleep, but was kept awake by the applicant and his friend. He ordered the applicant to leave. While in the process of leaving, the applicant was shot in the left foot. He was hospitalized for 17 days. Section 17(1) was cited and the award was reduced. The offender was undergoing medical treatment and died prior to appearing for trial.
Award: Pain and suffering $2,800.00, expenses and disbursements $495.20.

922-010436 A 24 year old female was severely assaulted by his estranged husband. While she was watching television, her intoxicated husband broke-in and assaulted her. She was taken to hospital and treated for a collapsed lung, severe facial bruising, and contucions on her back, abdomen and chest. She was released from hospital after six days. The offender was charged with ABH and received 8 months in jail.
Award: Pain and suffering $1,500.00, expenses and disbursements $323.31.

922-010445 A 21 year old male part-time employee was assaulted by the offender in the lobby of an apartment building. He sustained superficial lacerations to his left arm, chest, back and more serious stab wound in the area

of the left shoulder. This wound caused a partial collapse of the left lung and a chest drain was put in place until the applicant was released. He was off work for 11 weeks. The applicant was advised that upon submission of a correct receipt the Board would under Section 25* of the Act cover the cost of his glasses broken during the assault. The offender was convicted of ABH and sentenced to 18 months in jail. An investigation will be made into the possibility of recovery from the offender pursuant to Section 26 of the Act.
Award: Pain and suffering $400.00, pecuniary expenses $1,800.00, expenses and disbursements $1,253.80.

922-010456 A 40 year old unemployed female was assaulted by the offender as the result of an alleged remark. She was accused of making an unflattering comment about the offender's girl-friend. An argument resulted and the applicant was struck about the chest and face. The police were notified and the applicant went to hospital where she was treated for a perforated left ear drum which required surgery. The charge of common assault against the offender was dismissed.
Award: Pain and suffering $500.00.

922-010460 The application was brought forward by the mother of a 10 year old student who was the victim of an assault while riding his bicycle in a park. The offender attacked the victim with a knife. He sustained a deep laceration to the right side of his neck and face. Exploratory surgery revealed a laceration of the sternal mastoid muscle and subcutaneous tissue and fascia. He also had two smaller lacerations to the face, and a total of 24 sutures were required to close all wounds. He was in hospital for 4 days and unable to attend school for one week. The offender was charged with wounding and was found not guilty by reason of insanity.
Award: Pain and suffering $400.00, plus $3,600.00 (in trust), expenses and disbursements $335.52.

922-010468 A 22 year old male corrections officer was the victim of an assault by the offender, an inmate, while transferring him to a segregated area. The applicant was taken to hospital with a fractured mandible. A closed reduction was performed and his jaws were wired shut for 3 weeks. He was off work for 2 months. The offender was convicted of ABH and sentenced to 5 months plus probation.
Award: Pain and suffering $1,000.00.

922-010477 A 73 year old retired male was the victim of an assault after leaving a tavern. He was jumped and pulled into an alley by the offender. He was punched and kicked about the face and body before the offender fled with his money and identification. The police were notified and the applicant was taken to hospital where he received stitches for the laceration below his left eye, his upper and lower lip. In addition, both his upper and lower dentures were broken. The offender was charged with ABH and sentenced to 3 months in jail.
Award: Pain and suffering $1,000.00, expenses $900.00.

922-010489 A 24 year old male police officer was assaulted after stopping a van suspected of being involved in a break and enter. After placing three

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occupants of the van into the cruiser, the applicant returned for the fourth suspect. A struggle ensued and the applicant was hit on the nose by the offender. He was taken to hospital, x-rayed and treated for an undisplaced fractured nose, and a contusion spreading over the left eyelid. He was unable to work for 2 days. The offender was charged with assaulting a police officer and was sentenced to 30 days. An investigation will be made into the possibility of recovery from the offender pursuant to Section 26(2) of the Act.
Award: Pain and suffering $350.00.

922-010494 The application was brought forward by the father of a 16 year old male who was assaulted without provocation in the parking lot of a shopping mall by the offender. He sustained an undisplaced fracture of his nose which was treated conservatively. He also suffered minor facial lacerations and dental damage. His upper right central incisor and his lower right central incisor have been capped. Eventually his teeth will require permanent restoration. Section 25* of the Act was noted for future dental costs. The offender was convicted of ABH and sentenced to 60 days in jail. As the applicant is working and will be 18 in a few months, the award will be paid directly to him.
Award: Pain and suffering $1,256.00, expenses and disbursements $252.00.

922-010506 A 26 year old student on Workers' Compensation benefits was the victim of an assault by 2 offenders. The offenders made obscene gestures about his girlfriend and when he objected they dragged him to the ground, banged his head on the pavement, punched and kicked him. He was hospitalized for 5 days with a fracture of the 6th cervical vertebra and was treated with a halo vest for 10 weeks. Medical reports indicate a 50% loss of lateral flexion with continuing pain and discomfort. No offender has ever been apprehended.
Award: Pain and suffering $5,000.00, expenses and disbursements $846.10.

922-010516 A 23 year old male student was the victim of an assault while aiding a security guard with the apprehension of a robbery suspect. The police were notified and he was taken to hospital and treated for facial lacerations. A permanent facial scar remains and if further plastic surgery is required Section 25* of the Act will be invoked. The offender was charged with ABH and possession under $200.00. The charge for ABH was withdrawn and he received 10 days in jail plus two months probation for possession under $200.00.
Award: Pain and suffering $1,200.00.

922-010530 A 22 year old male store manager was the victim of an unprovoked assault in a hotel parking lot. He sustained cracked ribs and a fracture of the left ankle which required two operations and internal fixation. The leg was in a cast for 8 weeks and he was unable to work for three months. No offender has been charged.
Award: Pain and suffering $3,500.00, pecuniary expenses $710.00, expenses and disbursements $80.73.

922-010538 A 25 year old pizza delivery man was the victim of an unprovoked assault as he made a delivery. Upon leaving his car the applicant

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was set upon by 5 individuals who punched and kicked him and then fled with his money and identification. The police were notified and he was driven to hospital. His nose was displaced to the left and considerable swelling and bruising appeared although no fractures were apparent. Continual pains and twitches kept him from work for nearly 5 months. All 5 offenders were charged with robbery and all five convicted with various sentences.
Award: Pain and suffering $1,700.00, expenses $16.80.

922-010579 A 50 year old male pension recipient, was a victim of an assault by an offender who pushed him to the ground. While walking along with the aid of his cane the applicant was pushed from behind, lost his balance and fell. Police were notified and he was treated in hospital for lacerations to his forehead and sent home later that day. No offender has been apprehended.
Award: Pain and suffering $500.00.

922-010586 A 41 year old male self-employed insurance agent was the victim of an assault in his own home by 2 offenders. The offenders arrived to pick-up a friend of the applicant's and when they became abusive, they were asked to leave. Refusing to leave, the offenders struck the applicant about the head, put him in a choke hold and beat his head against the wall. After the beating the offenders fled. Police were notified and he was taken to hospital suffering from bruising, headaches, dizziness, black-outs and blurred vision. He also suffers from post-traumatic depression and seizures. He is on constant medication and received psychiatric treatment. He has been unable to work since the assault and a prognosis is guarded. One offender was convicted of ABH and sentenced to a $2,000.00 fine or 6 months in jail. A bench warrant is still outstanding for the other offender. The applicant was advised of Section 26 of the Act for subrogation.
Award: Pain and suffering $13,400.00 expenses and disbursements $1,600.00.

922-010604 This application was brought forward by the mother of a 13 year old male student who was the victim of an unprovoked assault by the offender a 16 year old student. The victim was punched in the mouth and sustained a fracture of one third of a crown of a tooth. The injury required root canal treatment and will require continuing dental work until he reaches age 18. Section 25* of the Act was noted for such dental payments. He also suffered shock and fright which necessitated his transfer to another school for the rest of the year.
Award: Pain and suffering $700.00, expenses $16.00.

922-010621 A 38 year old unemployed female was injured as the result of an occurrence which took place in her residence. She went to the aid of a female friend who was being strangled by a male visitor. In an attempt to pull the offender off, her finger was injured. The finger was swollen and the nail bed partially evulsed. A finger block was performed and the nail removed. No charges arose from the applicant, however, the offender was convicted of assault and placed upon probation. The Board noted Section 5(c) of the Act, finding the applicant compensable and has taken into account her actions when setting the award.
Award: Pain and suffering $400.00.

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922-010639 A 31 year old unemployed male was assaulted by the offender, who had forced his way into the applicant's friend's home. The applicant was beaten and kicked, sustaining cuts and bruises to his face, two black eyes, bruised ribs and back. The applicant was treated at hospital and released. The offender was charged with break and enter with intent to commit an indictable offence. He received a suspended sentence plus 12 months probation and ordered to do 60 hours of community work.
Award: Pain and suffering $900.00, expenses and disbursements $381.68.

922-010653 A 52 year old female laundry aide was attacked by an unidentified assailant, while returning home from church. After a brief struggle the applicant was kicked to the ground and the assailant fled with her purse. The police were called immediately but no arrests have been made.
Award: Pain and suffering $800.00, expenses $13.68.

922-010665 This application was brought forward by the mother of a 15 year old male student, who was shot by the offender without provocation, while out for a walk. The applicant was rushed to hospital and his injuries were diagnosed as a gunshot wound to the right chest. The bullet passed through the liver, lower pole of the right kidney and lodged in the muscle of the right flank. A laparotomy was carried out, the liver and kidney repaired, and the bullet removed. The victim remained in hospital for 12 days. He was subsequently hospitalized for 3 additional days complaining of breathing pains. The offender pleaded guilty to criminal negligence causing bodily harm and received a conditional discharge and 6 months probation. The award for pain and suffering was paid to the Accountant of the Supreme Court of Ontario until the victim reaches the age of 18 years.
Award: Pain and suffering $3,000.00, loss of income to the victim's guardian $250.00, expenses $14.00.

922-010674 A 67 year old housewife was the victim of an assault. The offender fled taking the victim's purse. She sustained multiple bruises and abrasions to her hands, feet, knees, and a strained shoulder. An undisplaced fracture of the tibia plateau of the left knee for which a cast was required for 6 weeks. The applicant's left shoulder and knee required therapy for 3 months. The applicant was also prescribed medication for nervous anxiety and still feels nervous when alone. The offender was never apprehended.
Award: Pain and suffering $2,750.00, expenses and disbursements $431.95.

922-010706 The applicant is the father of a 33 year old male who was murdered by 2 offenders. The offenders were both sentenced to life imprisonment. The claim was for funeral expenses.
Award: Funeral expenses $1,800.00.

922-010712 A 34 year old male self-employed wholesale food distributor was assaulted without provocation while attending a baseball game. The police were notified and the applicant went to hospital for treatment. He suffered from facial cuts, bruises, and a deep laceration of his left eyelid which required suturing. The offender was charged with ABH and pleaded guilty to common assault, for which he was sentenced to 7 days in jail.
Award: Pain and suffering $1,000.00, expenses $107.40.

922-010721 A 56 year old homemaker was attacked by an unknown male while on her way home from a restaurant. Attempting to escape from the attacker she fell on her face and left hand. The police were notified and she was taken to hospital the next day. The applicant sustained a dislocated nasal septum, black eyes, a small laceration to the nose, and a contusion to the left hand. Surgery may be required to correct a septal deviation, and Section 25* of the Act was advised. No offender has been apprehended.
Award: Pain and suffering $750.00, expenses and disbursements $311.50.

922-010733 A 36 year old male police officer, while pursuing the offender in his cruiser was rammed head on 3 times by the offender's car. The applicant was hospitalized for 4 days with an acute soft tissue injury to his left shoulder. He continued to experience pain, and mildly restricted range of motion of the cervical spine. X-rays demonstrated a mild anterior compression of C-6. The applicant attempted to return to work but was unable to for 2 months. His wages were covered by Workers' Compensation Board. The offender was convicted of dangerous driving and sentenced to 6 months in jail plus 6 months probation.
Award: Pain and suffering $2,500.00, expenses and disbursements $40.20.

922-010744 A 31 year old unemployed male was assaulted after he retrieved his soft drink from the offender, who had poured it over a young lady. The offender confronted the applicant and during the ensuing melee, struck the applicant with a rock. Police were notified and the applicant was sent to hospital. He required 5 sutures to close a laceration on his right eye. The offender was charged with ABH and weapons dangerous. The second charge was withdrawn and he was sentenced to 30 days in jail plus 2 years probation for ABH.
Award: Pain and suffering $800.00, expenses and disbursements $45.00.

922-010745 A male orchard worker and security guard was assaulted while attempting to deny racial slurs in the cab of a truck. The offender felt that the racial slurs had been directed towards him. While applicant was attempting to deny same, he was hit in the face by the offender's fist and thrown out of the vehicle. Police were notified and the applicant was hospitalized for treatment of contusions, bruises and a cut swollen lip. He was released the following day. The offender was charged with ABH and sentenced to 90 days in jail.
Award: Pain and suffering $500.00, loss of wages $85.00, expenses and disbursements $274.52.

922-010758 A 19 year old male apprentice plumber was assaulted, without provocation, by the offender with a pool ball. The applicant sustained a fracture of the right neck and mandible. He required open reduction wiring for 7 weeks. After 3 or 4 months he made a good recovery. The Board allowed 7 weeks lost income less Unemployment Insurance benefits. The offender was found guilty of ABH and sentenced to $500.00 fine or 50 days in jail.
Award: Pain and suffering $1,400.00, loss of wages $315.00, expenses and disbursements $354.15.

922-010773 A 34 year old female nurse was assaulted by the offender with a flashlight, after he gained access to her apartment and woke the applicant

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while in bed. She was struck about the face and left hand and sustained facial lacerations, abrasions, bruising and impairment of the facial nerve. In hospital, she was advised of possible further nerve degeneration, and Section 25* of the Act was noted. The applicant was off work for 4 weeks. The offender was charged with break and enter and ABH and sentenced to 2 years in jail.
Award: Pain and suffering $3,000.00, loss of wages $517.90, expenses $415.39.

922-010790 This application was brought forward by the mother of a 16 year old female who was assaulted by the offender with the wooden seat of a swing. As a result there was extensive dental damage and the applicant suffered from headaches. The offender was convicted of ABH and given 12 months probation.
Award: Pain and suffering $800.00, expenses and disbursements $210.00, dental $418.25.

922-010803 A 33 year old male apartment building superintendent was bound, gagged, speared with a sawed-off shotgun, and robbed of rent money that he had just collected, by an unknown assailant. After he freed himself, the police were called, and he was taken to hospital. He was treated for multiple circular contusions, about an inch in diameter, which were compatable with the forceful application of a gun barrel to his chest and back. He was sore and uncomfortable for 3 weeks. The applicant and his family are still suffering nervousness and anxiety from this assault and robbery. No arrests have been made.
Award: Pain and suffering $2,000.00, expenses and disbursements $15.00.

922-010820 A 23 year old male bakery worker was assaulted by an intoxicated offender while on his way home. The applicant was beaten about the face and kicked in the groin and thighs. He was treated in the hospital for facial cuts and bruises, the loss of one tooth and a fracture of the left zygoma, requiring an open reduction. The applicant was unable to work for 2 weeks. The offender was charged with ABH and sentenced to 3 months imprisonment. The applicant was advised of Section 25* of the Act for future dental expenses.
Award: Pain and suffering $1,000.00, loss of wages $506.63, expenses and disbursements $1,267.30.

922-010827 A 35 year old male police officer received injuries to his right hand while attempting to arrest the offender. He suffered a septic fracture and subluxation of the proximal interphalangal joint of his right middle finger. Treatment with antibiotics, was unsuccessful. An amputation was performed at the level of the head of the proximal phalanx of the right middle finger. The applicant was unable to work for 4-1/2 months. The applicant's loss of income was covered by the Workers' Compensation Board. The offender was charged with mischief, however, due to non-appearance of the complainant, these charges were dismissed.
Award: Pain and suffering $3,500.00.

922-010848 A 27 year old unemployed male was assaulted by 2 offenders while on his way home from a hotel. The applicant was pushed and struck about the face several times. He suffered the loss of 4 teeth and an upper denture was required. The offenders have never been apprehended.
Award: Pain and suffering $1,000.00, expenses and disbursements $74.96.

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922-010855 A 26 year old female RCMP officer was assaulted while issuing a ticket. She was struck about the face and her hair was pulled. She was treated for a fractured nose, which required a septorhinoplasty. Due to previous surgery on the nose, the injury caused considerably more damage. The applicant was off work for one month and the loss of income was recovered from other sources. The offender was charged with assaulting a police officer, and was fined $300.00 or 15 days.
Award: Pain and suffering $800.00.

922-010859 A 25 year old male student was viciously attacked by the offender, his room-mate, with a meat cleaver. He sustained multiple deep lacerations to the back of his neck, left arm, chest, abdomen, forehead, and a compound fracture of the left elbow. He was hospitalized for 10 days. Forty stitches were required for the lacerations. The fractured elbow was repaired by open reduction and K-wire. The injuries and mental anguish have delayed the applicant's schooling by at least one year. The offender was charged with wounding and received a sentence of 12 months imprisonment, and was then deported to Singapore.
Award: Pain and suffering $4,000.00, expenses and disbursements $723.31.

922-010874 A male self-employed grocer was assaulted by two offenders when he refused to re-open his store. The offenders unsatisfied with the applicant's response, picked up a piece of wood and struck him about the head and body. He was treated for scalp lacerations requiring suturing, facial cuts, body bruising, and a mild concussion. The applicant was unable to work for one month, and this was covered by the Workers' Compensation Board. The offender was charged with ABH and was sentenced to 30 days in jail plus 2 years probation. The other offender was charged with ABH and was found not guilty.
Award: Pain and suffering $1,800.00, expenses and disbursements $391.70.

922-010887 A 64 year old male employee of the Ministry of Health was struck on the head by one of three offenders after responding to his doorbell. He was unconscious for 5 hours. The applicant sustained a fracture with dislocation in the cervical area. The removal of a huge disc herniation was also performed. He developed quadruplegia, which improved dramatically after rehabilitation. No assailants could be identified and no charges laid.
Award: Pain and suffering $12,000.00, expenses and disbursements $33.40.

922-010905 A 25 year old male bus driver, was driving his bus, when a beer bottle was thrown out of a passing motor vehicle and smashed the windshield. Flying glass caused a corneal abrasion to the applicant's right eye. The applicant was treated with an eye patch and cream for his eye and was off work for two days. The offenders were never apprehended.
Award: Pain and suffering $600.00, expenses and disbursements $33.40.

922-010924 An 83 year old retired woman was the victim of an unprovoked assault in her own home. The offender, after forcing his way into the applicant's home, demanded money and upon receiving none, assaulted her. The police were notified. She suffered from injuries to the rotation cuff of her right shoulder and cuts and bruises, and is still receiving physiotherapy

treatments. The unknown offender has never been apprehended.
Award: Pain and suffering $2,000.00.

922-010855 A 42 year old male machine operator was the victim of an unprovoked assault in front of his home. He asked the offenders, who were partying on his front lawn to leave, and was struck in the face with a beer bottle by one, and in the back with a bottle thrown by another. Police were notified and he was taken to hospital, and treated for a deep cut to his left upper lip and back, which required suturing. The offenders have never been apprehended.
Award: Pain and suffering $1,500.00, expenses and disbursements $325.00.

922-010870 A 27 year old female on Mothers' Allowance was assaulted after responding to a knock on her door. After answering the door, she was tied up and kicked repeatedly in the head and body. Jewellery was taken and the offenders fled. Police were notified and she was rushed to hospital, suffering from soft tissue injuries to the left side of her face, and multiple contusions to her face, back, arms, and legs. She was treated with pain killers. Because of the trauma suffered, it was necessary for her mother to come from England for 3 weeks to care for herself and her child. No offender has ever been apprehended.
Award: Pain and suffering $1,800.00, expenses and disbursements $1,256.85.

922-010887 A 17 year old female became involved in a brotherly dispute and was punched in the face by the offender. Police were notified and she was taken to hospital, where she remained for 2 days. Treatment was for swelling to the left side of her face; from her lip to her eye, including her nose, and a small haematoma on her scalp. It was later discovered that she had a nasal fracture, and underwent a closed reduction. The offender pleaded guilty to ABH and was fined $250.00 or 30 days. The Board noted that an investigation would be made into the possibility of recovery from the offender pursuant to Section 26 of the Act.
Award: Pain and suffering $800.00, expenses and disbursements $682.45.

922-011023 A 20 year old unemployed female was assaulted in her apartment, after arguing with the drunken offender, over whether a television should be left on or off. During the argument she was thrown to the ground cutting the bottom of her foot on broken glass. The laceration across the sole of her right foot cut through both the muscular tendinous units and sensory nerves of the 3rd, 4th, and 5th toes. She still has a pins and needles sensation in the right foot and suffers from a minor permanent disability. She was aware that the offender was on probation, and forbidden to consume alcohol. She was also aware that he became violent when drinking. The Board noted Section 17(1) of the Act to reduce the award. The offender was convicted of ABH and sentenced to 3 months in jail.
Award: Pain and suffering $1,750.00, expenses and disbursements $402.93.

922-011033 A 25 year old female bus driver was attacked by a female passenger. She was punched in the face and stabbed in the right shoulder and armpit with a ballpoint pen. She managed to subdue the offender, finish her run, and then attended hospital. Her wounds were diagnosed as superficial puncture wounds to the right arm and shoulder, bruising below the right eye,

and swelling on the bridge of the nose. She was off work for 4 days and continues to suffer from headaches and soreness. No charges were laid as the offender was committed to a psychiatric facility.
Award: Pain and suffering $800.00, expenses and disbursements $140.33.

922-011037 A 22 year old unemployed male was assaulted outside his home. He was punched, kicked and struck with a baseball bat. He sustained a crack fracture to the skull, a broken nose, a painful jaw, ear-ache with some temporary hearing loss, and bruising and swelling to the face. He was hospitalized for two days and underwent closed reduction surgery to repair the nose. The Board noted Section 25* in case of further surgery. The offender was convicted of ABH and sentenced to 45 days in jail.
Award: Pain and suffering $2,500.00, expenses and disbursements $777.93.

922-011065 A 36 year old male labourer was stabbed in the back, as he left his girlfriend's apartment. No evidence was found to indicate that the stabbing was provoked. The police were called and he was rushed to hospital. Only a 3 cm. wound had to be sutured, as no internal injuries were found. He remained in hospital for 2 days and was unable to work for 31 days. The offender pleaded guilty to the reduced charge of ABH and received a suspended sentence plus 2 years probation.
Award: Pain and suffering $1,000.00, loss of wages $820.00, expenses $22.00.

922-011075 A 28 year old male police officer received a back injury while working crowd control. He was diagnosed as having a intervertebrae disc herniation at the L5-S1 level on the left side with gross left S1 root compression. After several months of physiotherapy and constant pain, he underwent surgery to alleviate the problem. He was unable to work for 5 months, however, the loss of income was covered by the Workers' Compensation Board. The coverage did not include extra duties and court appearances. No charges were laid in relation to this event.
Award: Pain and suffering $3,000.00, loss of income $987.00.

922-011105 A 19 year old male police cadet was assaulted by the offender while escorting the prisoner to his cell. He was taken to hospital and treated for a severe sprained left thumb and a lacerated right ring finger. He is currently undergoing chiropractic treatment. His loss of income was covered by the Workers' Compensation Board. The offender pleaded guilty to an assault charge and was sentenced to 4 months in jail plus 3 years probation.
Award: Pain and suffering $800.00.

922-011122 A 23 year old male on layoff was sitting in a car talking to a female friend when he was suddenly assaulted, without provocation, by a former boyfriend of his female friend. He was punched in the face, causing bruising and swelling of the facial tissues as well as dental damage. He did not require treatment when he went to the hospital but he did require fairly extensive dental repair which has been completed and paid for. There were no charges laid in connection with this incident.
Award: Pain and suffering $500.00, expenses and disbursements $1,498.48.

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922-011139 A 34 year old male painter was assaulted by two offenders claiming to be collecting for an animal rescue mission. After letting the offender into his apartment and serving refreshments, he was assaulted by the male offender. He was punched and knocked to the floor and further assaulted when down. The offenders took valuables and money. The police were notified and he was taken to hospital and treated for multiple facial abrasions, lacerations and bruises, a bruise on his left thigh and an abrasion over his left lower leg. He was unable to work for 3 days and did not fully recover for 6 weeks. The male offender was convicted of ABH and sentenced to 4 months in jail and the alleged female offender was charged with robbery but the charge was withdrawn.
Award: Pain and suffering $700.00, loss of wages $167.81, expenses $85.00.

922-011156 A 24 year old male casual labourer was assaulted after being wrongly accused of throwing a rock at the offender's car. When he refused to accept the blame, the offender struck him in the face. Police were called and the applicant went to hospital. He suffered from bruises and lacerations to his jaw, dental damage, and an undisplaced fracture of one of his facial bones. He spent one night in the hospital and received treatment for the dental damage. Further dental treatment is expected and the applicant was requested to forward these estimates to the Board. No arrests have been made and no charges have been laid.
Award: Pain and suffering $1,000.00, expenses $34.00.

922-011161 This application was brought forward by the mother of a 14 year old male newspaper boy, who was assaulted when he refused to hand over his route money to two offenders. When he refused, the victim was punched in his left and right eyes by the offenders. He was taken to hospital and treated for swelling of soft tissue, bruises, and hemorrhages. The offenders were never apprehended.
Award: Pain and suffering $250.00.

922-011183 A 38 year old male police officer was assaulted while trying to restrain the offender. During the ensuing scuffle he was bitten on the left middle finger by the offender, who would not let go until he was flung into the wall. The applicant was taken to hospital and treated for lacerations to the middle finger. The offender was charged with ABH and sentenced to 30 days in jail.
Award: Pain and suffering $150.00.

922-011197 This application was brought forward by the mother of a 3 year old female who was assaulted by a male babysitter, for wetting her pants. The victim was left in the charge of the offender while her mother was out. Upon returning home, the mother questioned the offender, phoned the police and took the victim to hospital. At the hospital the victim's injuries were diagnosed as contusions and abrasions on the left side of her head and face, and some bruising. The offender was charged with ABH and given a conditional discharge plus 30 months probation. The award was paid to the Accountant of the Supreme Court of Ontario, and held in trust until the victim reaches the age of 18 years.
Award: Pain and suffering $800.00, expenses $48.10.

922-011228 A 43 year old male bus driver was assaulted for no apparent reason by the offender. After having been inconvenienced and sworn at by the offender on two separate occasions, the applicant opened his window and was punched in the mouth. He was taken to hospital and treated for a minor cut to his bottom lip, and a neck injury. His dentures were also broken and he was absent from work for about a month. The offender was charged with ABH and sentenced to 30 days in jail.
Award: Pain and suffering $500.00, loss of wages $456.07, expenses $50.00.

922-011253 A 19 year old male university student and part-time store security officer was assaulted in an unprovoked attack by the offender. He was assaulted by the offender who used a beer bottle to strike him in the face and then punched him in the face and chest. He apparently injured his back, but this did not become apparent until he went to see a chiropractor 6 months later. The immediate injuries were lacerations to the head and face, which required suturing. He was absent from university for 2 weeks and had to withdraw from one course, which will have to be made up at a later date. The offender was charged with wounding and pleaded guilty to ABH and was sentenced to 6 months in jail.
Award: Pain and suffering $2,000.00, expenses and disbursements $349.04.

922-011265 A 33 year old police officer was assaulted after escorting the offender from an unruly party. When he released the offender, he was struck in the face with a closed fist. He was taken to hospital and treated for a laceration over the left eyebrow, bruises to the cheek and a cracked molar. He also required dental work, and the lower left molar was extracted and replaced with a bridge. The offender was charged with assaulting a police officer and fined $375.00 or 30 days, plus 2 years probation. The applicant's dental work and 2 days loss of income were covered by the Workers' Compensation Board.
Award: Pain and suffering $250.00.

922-011299 A 20 year old female student was the victim of a stabbing and attempted strangulation by the offender. After refusing to travel with the offender, she was stabbed in the back with a carving knife and then an attempt was made to strangle her. Remarkably, she was able to fight him off and escape to the street where she collapsed. The carving knife was still in place when she arrived at the hospital. The applicant underwent emergency thoracic surgery for the removal of the knife which had pierced through the right lower lobe of the lung and was resting within the pericardial cavity. She was kept in hospital for 10 days and when released required daily visits from the V.O.N. for 2 weeks. The offender was convicted of attempted murder and sentenced to 2 years less one day.
Award: Pain and suffering $4,500.00, expenses $150.00.

922-011330 A 24 year old unemployed male was the victim of an assault by the offender. At a hallowe'en party the applicant broke up a fight between the offender and an unknown person. Without provocation the offender struck the applicant in the face. Police were notified and he was taken to hospital and treated for minor cuts and bruises to his face. Dental surgery was required for 2 dislodged teeth and 2 cracked teeth as well as a root canal. Section 25* of the Act was cited in the event that further surgery is required. The offender was

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convicted of ABH and sentenced to 45 days in jail and ordered to make restitution in the amount of $390.00.
Award: Pain and suffering $1,000.00, expenses and disbursements $447.52.

922-011351 A 32 year old male bus driver was assaulted by three youths after coming to the aid of a fellow driver. The other driver was involved in a verbal dispute when the applicant came to his aid, and with the arrival of more transit personnel, the youths fled. In the altercation one youth picked up a piece of the broken bus window and threw it at the applicant. The glass struck him on the forehead. He was taken to hospital and treated for a 3 inch laceration to the forehead, which required 7 stitches, and gouges and scratches to both sides of the neck. He was unable to work for one day. The offenders were never apprehended. The Board commended the applicant's display of good citizenship and awarded additional damages under Section 7(2) of the Act.
Award: Pain and suffering $500.00, other damages $500.00, loss of wages not covered by Workers' Compensation Board $4.35, expenses $150.00.

922-011379 A 32 year old male labourer was assaulted during a hockey game. The offender, using his stick as a baseball bat, swung at the applicant and struck him across the nose and mouth. The applicant had a cast on his nose for 2 weeks and received 20 stitches. The pain in his teeth lasted for 1 month and he was unable to eat solids during that time. Section 25* of the Act was cited in case further work is needed on his teeth and nose. The offender was convicted of ABH and fined $400.00 or 60 days.
Award: Pain and suffering $2,000.00, expenses $9.00.

922-011389 The applicant is the son of a 77 year old woman who died as the result of arson. A fire broke out in the apartment building of the victim and she was forced to escape down 8 flights of stairs. Shortly after reaching the ground floor she collapsed and died of a heart attack. The exertion and stress of escaping the fire directly contributed to her death. The Fire Marshall and Board were satisfied that the fire was the result of arson. No offender has been apprehended.
Award: Funeral expenses $1,800.00, expenses $50.00.

922-011445 A 64 year old female suffered extreme anxiety after intervening in an attempt to save her optometrist's life. During an examination, the offender entered the optometrist's office knocking the doctor down and threatening him with a knife. The applicant intervened and offered the robber money from her own purse, the offender then fled. She was too nervous and terrified after the incident to leave her apartment the next day to see her doctor. She was prescribed Atwan and Dalame over the telephone. The offender was convicted of robbery and sentenced to one year in jail. The Board cited Section 5(c) of the Act, finding the applicant compensible. The Board also commended the actions of the applicant and awarded an additional $500.00 for acting as a "Good Samaritan".
Award: Pain and suffering $500.00, Section 5(c) $500.00, expenses and disbursements $75.14.

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922-011516 A 49 year old woman was injured by the offender when she was assaulted upon entering her car. A knife was placed at her neck and the offender demanded money. She grabbed at the knife with her left hand, causing cuts on the left index finger and palm. The offender then fled. No one has been apprehended in connection with the incident.
Award: Pain and suffering $1,000.00.

922-011557 A 47 year old male disability pensioner was injured in an unprovoked assault. He had been served with notice to vacate his present premises when the alleged offender entered his garage. An argument ensued over the notice. Without provocation the alleged offender struck him several times about the face. Police were notified and he was taken to hospital, suffering from facial cuts, bruises, and injuries to his left eye and ear. He is now left with decreased vision and hearing in his left eye and ear. The alleged offender was charged by the applicant with ABH and threatening. A stay of proceedings was entered pursuant to Section 45-2 of the Charter of Rights and Freedoms. The Board will investigate the possibility of recovery from the offender pursuant to Section 26(2) of the Act.
Award: Pain and suffering $2,500.00, expenses $78.00.

922-011644 A 29 year old male was brutally assaulted by two offenders upon entering his apartment. The offenders followed the applicant into his apartment and assaulted him with nanchuka sticks, knocking him to the ground. One of the offenders then attempted to poke out his eyes and he was then kicked about the head and body. He was taken to hospital and remained there 9 days for treatment of a maxillary fracture, a fracture of the right infraorbital margin, and a closed reduction of a nasal fracture. He also sustained sub-conjunctival hemorrhages to both eyes and facial lacerations. He also suffered damage to his teeth. The Board noted Section 25* of the Act regarding dental work. Offender (1) was charged with weapons dangerous and ABH and was sentenced to 3 months imprisonment for ABH. Offender (2) was charged with ABH and the charge was dismissed.
Award: Pain and suffering $3,500.00, expenses $200.00.

922-011706 A 34 year old male was assaulted, by the offender, while he slept. He sustained bruising and swelling to his face, head, arms, and left knee. In addition, there was an undisplaced fracture of the nose, which healed with conservative treatment. The physical injuries healed within 6 weeks, however, he still suffers from severe nervous anxiety and emotional trauma. The offender was convicted of ABH and sentenced to 60 days in jail plus 2 years probation. In addition he was ordered to pay restitution in the sum of $2,660.11 (this sum covered dental costs and property damage). An investigation will be made into the possibility of recovery from the offender pursuant to Section 26(2) of the Act.
Award: Pain and suffering $2,000.00, expenses and disbursements $446.72.

For Section 25 of The Act - See Page 54.

FINDINGS WHERE THE PUBLICATION OF EVIDENCE WAS PROHIBITED

200-7949 A 27 year old female teacher was assaulted. She suffered nerve damage to the left side of her face resulting in permanent loss of sensation of the upper left lip, nose and cheek. She also required dental work. The offender was convicted of ABH and sentenced to 3 years in prison. Section 25* of the Act was cited for future dental work.
Award: Pain and suffering $2,000.00, expenses and disbursements $370.00.

200-8901 This application was brought forward by the best friend of a 14 year old girl who was sexually abused continually by her father. She suffered severe psychological consequences, and her family life has been completely disrupted. The offender was charged with numerous sexual offences and sentenced to life imprisonment, which was reduced to 10 years on appeal. The award was placed in trust with the Accountant of the Supreme Court of Ontario until the victim reaches 18 years.
Award: Pain and suffering $5,000.00 (in trust), expenses and disbursements $400.00.

200-9500 A 24 year old female post office employee was raped and assaulted. She suffered contusions to the left side of her face and under her left eye which was sore for 2 weeks. She also suffered anxiety-depression for about one year. The offender was convicted of rape and sentenced to 2-1/2 years in jail. An appeal was allowed, but the new trial has not commenced.
Award: Pain and suffering $1,500.00, pecuniary loss $1,000.00, expenses $17.60.

200-9873 This application was brought forward by the mother of a 15 year old female student who was attacked and raped while enroute to visit a friend. She complained of a sore neck and ribs and she also suffers from emotional trauma and continues to undergo therapy. The offender was charged with rape, pleaded guilty, and was sentenced to 8 years imprisonment.
Award: Pain and suffering $3,000.00.

200-9878 A 50 year old female nurse's aide was indecently assaulted and threatened with rape at knife point. She suffered from a cut to her right thumb and neck as well as bruises to her body. Severe emotional trauma followed and she had to stop a nursing course and could not work for one day. The alleged offender was charged with indecent assault and wounding but was acquitted due to lack of identification.
Award: Pain and suffering $3,000.00, pecuniary expenses $731.26, expenses and disbursements $230.57.

922-010044 A 29 year old male disabled epileptic was physically confined, beated and sexually abused by four offenders. He suffered various physical injuries as well as anxiety and tension. The four offenders were charged with indecent assault on a male, ABH, and forcible confinement. Charges were withdrawn, when 2 offenders pleaded guilty to ABH. One received 9 months and the other 6 months in jail.
Award: Pain and suffering $6,000.00, expenses and disbursements $573.60.

For Section 25 of The Act - See Page 54.

922-010114 This application was brought forward by the mother of a 3 year old male who was the victim of sexual abuse by the offender, a friend of his mother's common-law-husband. The applicant suffered various injuries. The offender was not charged in relation to this case, however, he was convicted of ABH in the injury to the victim's sister. The award for pain and suffering will be held in trust with the Accountant of the Supreme Court of Ontario until he reaches 18 years.
Award: Pain and suffering $2,000.00 (in trust), expenses and disbursements $402.42.

922-010185 A 22 year old female was raped by the offender who asked her for directions. She suffered a fractured nose and other injuries. The offender was convicted of rape, robbery, and weapons dangerous to the public peace and sentenced to 5 years in jail.
Award: Pain and suffering $3,200.00.

922-010276 A 21 year old female student and part-time clerk was the victim of an unprovoked assault in a parking lot. She suffered multiple abrasions to her face, nose, both knees, and two fractured front teeth. She was unable to work for 14 days and this loss of income, and medical expenses were paid for by the Workers' Compensation Board. The offender was charged with ABH and indecent assault and was given a suspended sentence plus 3 years probation.
Award: Pain and suffering $3,000.00.

922-010365 A 58 year old female school teacher was the victim of a brutal assault and rape. She was initially hospitalized for 8 days with multiple soft tissue injuries and swelling in her face, neck, and body. Eight months later surgery was required for damage done to her nose and ear. Four weeks after the occurrence, she was hospitalized for 2 weeks with physical and nervous exhaustion. The offender was convicted of break and enter, with intent to rape and was sentenced to 5 years plus 2 years concurrent.
Award: Pain and suffering $5,000.00, pecuniary expenses $979.42, expenses and disbursements $480.00.

922-010509 A 67 year old retired female housekeeper was the victim of a rape which occurred in her house. She suffered from bruising, a back strain which required chiropractic treatment, and nervous anxiety. The offender was convicted of rape and sentenced to 10 years in jail.
Award: Pain and suffering $4,000.00, expenses and disbursements $363.68.

922-010615 A 27 year old female supervisor and waitress was the victim of rape in her own home. She suffered physical injuries particularly to her neck. She also experienced severe emotional trauma. The offender was convicted of rape and sentenced to 7 years in jail.
Award: Pain and suffering $5,000.00, pecuniary expenses $120.00, expenses and disbursements $357.00.

922-010939 This application was brought forward by a friend of a 15 year old female who was the victim of an indecent assault while she was walking home from school. She suffered bruising to her right eye and hand as well as other physical injuries. The offender was convicted in Juvenile Court for indecently assaulting a female and was found to be delinquent. The award will be held in trust by the Accountant of the Supreme Court of Ontario until the victim reaches 18 years.
Award: Pain and suffering $1,515.00 (in trust), expenses and disbursements $280.00.

922-011126 A 40 year old female surgical nurse was the victim of an indecent assault while on her way home. She suffered a cut on her right hand, an abrasion to her neck, and severe psychological trauma and neurosis. She was absent from work for 4 days. The offender was convicted of indecent assault and sentenced to 3 years in jail. He was also convicted of a weapons dangerous charge and sentenced to one year concurrent.
Award: Pain and suffering $2,500.00, expenses and disbursements $540.00.

922-011257 This application was brought forward by the mother of an infant female who was the victim of wounding by her father. She suffered numerous injuries to her entire body which required surgery to repair. She remained in hospital for 2 weeks. Section 25* of the Act was noted should further physical problems arise from the injury. The offender was convicted of wounding and sentenced to 23 months concurrent. The award is to be held in trust by the Accountant of the Supreme Court of Ontario until the victim reaches the age of 18 years.
Award: Pain and suffering $6,000.00 (in trust).

922-011289 A 37 year old unemployed female was the innocent victim of a stabbing by two female offenders. She was stabbed 12 times in the neck, chest, and abdomen. She suffered numerous injuries and was hospitalized for 7 weeks followed by twice daily nurse visits for 5 months. The offender pleaded guilty to attempted murder and was sentenced to 6 years in jail. Charges against the second offender are pending.
Award: Pain and suffering $7,500.00, expenses and disbursements $386.00.

For Section 25 of The Act - See Page 54.

*SECTION 25 OF THE ACT

(1) The Board may at any time on its own initiative or on the application of the victim, any dependant of the victim, the Minister or the offender, vary an order for payment of compensation in such a manner as the Board thinks fit, whether as to terms of the order or by increasing or decreasing the amount ordered to be paid, or otherwise.

(2) In proceedings under subsection (1), the Board shall consider:

(a) any new evidence that has become available;

(b) any change of circumstances that has occurred since the making of the order or any variation thereof, as the case may be, or that is likely to occur; and

(c) any other matter the Board considers relevant.

(3) This Act, except Section 6, applied to a review under subsection (1) in the same manner as to an application for compensaiton, 1974, c. 51, S.24.

SUMMARY OF DISALLOWED APPLICATIONS

200-4877 The applicant, an unemployed male disability pensioner, was the husband of a murder victim. He claimed for pain and suffering plus pecuniary loss. The Board relying on medical evidence found that he suffered only normal grief and suffering. The Board also found that he suffered no pecuniary loss as a result of his wife's death. The claim was denied.

200-6114 A 55 year old male steel worker was assaulted by 4 male youths. He had been sexually involved with one of the offenders prior to the assault, and was later sentenced to 3 months in jail for gross indecency. The Board cited Section 17(1) of the Act in denying this application.

200-7748 The applicant, a female, claims to have broken her dentures during a struggle with her father. Both parties were intoxicated and later that same day, she stabbed him in the stomach. The Board considered all evidence, in particular the intoxication and provocative behaviour of the applicant, and therefore denied the application.

200-8589 A 23 year old male driver was the victim of an assault with a liquor bottle. Both the offender and the applicant had been drinking and smoking drugs before the incident. The Board cited Section 17(1) of the Act in denying the application. The Board also cited Section 22 of the Act to pay for costs.

200-8688 A 25 year old unemployed female was the victim of an assault. After listening to lengthy testimony the Board cited Section 5 of the Act denying the application on the grounds that she failed to prove that a crime of violence had occurred. The applicant's solicitor will be paid under Section 22 of the Act.

200-9247 A 21 year old unemployed male injured his eye while at a party. He waited 5 months to report the incident and the Board cited Section 17(2) of the Act in denying the application.

200-9428 A 40 year old male Rowntree employee was the victim of an assault and of being run over by a car. After carefully weighing the evidence, the Board was unable to find that a crime of violence had occurred. Section 5 of the Act was cited in denying this claim. The Board also cited Section 22 of the Act for payment of interpreter's fees.

200-9728 A 33 year old male salesperson was injured as the result of a dispute at his place of work. The Board reviewed the evidence and invoked Section 17(1) of the Act in denying this application.

200-9825 A 39 year old male taxi driver was assaulted after engaging in an argument with a friend. Both men had spent the afternoon drinking and were intoxicated. After listening to testimony the Board is of the opinion that not all of the evidence had been presented, and cited Section 17(1) of the Act in denying this application.

922-010128 A 24 year old male labourer was injured as the result of an alleged assault. Upon investigation of medical records the Board concluded that the injuries sustained by the applicant were more consistent with a fall, than with an assault. Section 17(1) of the Act was cited and the application was denied.

922-010323 This application was brought forward by the mother of an 11 year old male soccer player who was the alleged victim of an assault by the alleged offender, a player on the opposing team. The school regarded the incident as minor and no charges were laid. The Board concluded that the injury was not the result of a crime of violence, both the victim and offender were guilty and Section 17(1) of the Act would deny the application.

922-010353 A 18 year old male house painter was the victim of an assault which took place on a subway platform. The victim was not co-operative with police. During the investigation the police were told that the applicant did not want the matter pursued. The Board cited Section 17(1) and Section 17(2) of the Act when denying this application.

922-010507 A 24 year old unemployed male was the victim of an alleged assault. During the investigation, conflicting evidence was put forward by the applicant. The Board invoked Section 17(1) of the Act, due to the provocative nature of the applicant, and denied the application.

922-010747 A 53 year old unemployed male was the victim of an alleged assault. When the police attempted to aid the victim, he was abusive, uncooperative and wanted no further action taken on the case. Considering all of the circumstances, the Board invoked Section 5 of the Act, since no crime of violence occurred. The application was further denied under Section 17(1) and Section 17(2) of the Act.

922-011532 A 38 year old unemployed male was the victim of an assault after attempting to intervene in a family argument. All parties involved had been drinking and the applicant was the instigator of the assault. The Board, after considering all of the evidence denied the application under Section 17(1) of the Act. The Board cited Section 22 of the Act awarding costs.